

Board of Zoning Adjustments

Staff Report

Monthly Meeting

Monday, July 19, 2021

Docket Number: BZA042-21

Prepared by: Valerie Goines

Applicant or Agent: Tracie L Ashe
Property Location: 815 Alvar Street **Zip:** 70117
Bounding Streets: Alvar St., Dauphine St., Bartholomew St., Burgundy St.
Zoning District: HMR-3 Historic Marigny/Tremé/Bywater Residential District
Overlay District: RDO-1 Residential Diversity Overlay District
Historic District: Bywater **Planning District:** 7
Existing Use: Single-Family Residence **Square Number:** 242
Proposed Use: Single-Family Residence **Lot Number:**

Request: Request: This request is for variances from the provisions of Article 9, Section 9.2.A (Table 9-2), Article 9, Section 9.3.C, Article 21, Section 21.6.N.1.a, and Article 21, Section 21.6.T.1 of the Comprehensive Zoning Ordinance to permit an addition to an existing single-family residence resulting in open space that is not permeable, a fence with excessive height, and mechanical equipment located in the front yard.

Requested Waivers:

Article 9, Section 9.3.C – Permeable Open Space

Required: 447.6 ft² Proposed: 303.6 ft² Waiver: 200 ft²

Article 21, Section 21.6.N.1.a – Fence Height

Permitted: 7 feet Proposed: 10 feet Waiver: 3 feet

Article 21, Section 21.6.T.1 – Mechanical Equipment

Required: Located only in an interior side or rear yard

Proposed: Located in a front yard

Waiver: Located in a front yard

Staff Recommendation: DENIAL.

Based on this report, the staff believes that the requested variances of **Article 9, Section 9.3.C – Permeable Open Space, Article 21, Section 21.6.N.1.a – Fence Height, and Article 21, Section 21.6.T.1 – Mechanical Equipment** fail to meet 6 of the 9 criteria of the Standards for Variances of **Article 4, Section 4.6.F** of the Comprehensive Zoning Ordinance, in that:

- Literal interpretation of the ordinance will not deprive the applicant of rights commonly enjoyed by other properties in the district,
- The special circumstances were caused by the applicant,
- The variance will confer on the applicant special privileges,

- Granting the variance will alter the essential character of the locality,
- The property regulations will not result in a demonstrable hardship, and
- The change is exclusively for the convenience and profit of the owner.

I. Existing Conditions

The site in question is located in Bywater neighborhood with frontage on Alvar Street. Roughly rectangular in shape, interior Lots 1 & 2 measure approximately 29 feet in width, 59.68 feet in depth, and 1493.75 square feet in area. The most recent survey can be found in the Granicus packet.

The site is currently developed with a shotgun camelback single-family residence and provides approximately 1757 square feet in floor area.

II. Proposed Development

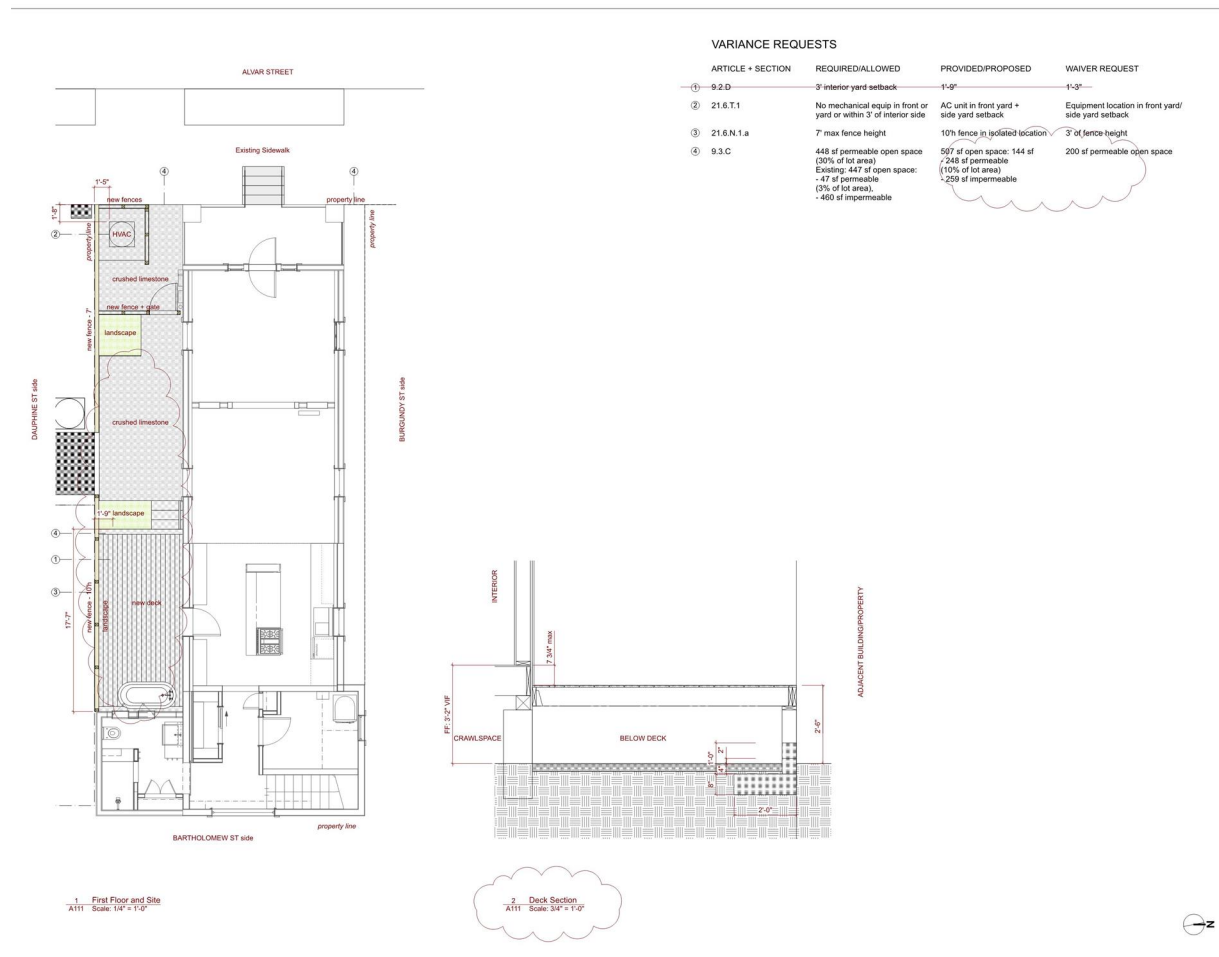
The applicant is proposing to convert the existing driveway to an outdoor living space. The proposed development would include a raised deck which would decrease the permeable open space and affect the applicant's line of sight into the adjacent property. In an effort to maintain privacy between the two residences, the applicant is also proposing to build a 10-foot fence along the Dauphine Street side. Finally, the relocating the AC condenser unit to the front yard is also proposed.

Requested Variances:

The Department of Safety and Permits determined as part of its zoning review that the subject proposal is not compliant with **Article 9** of the Comprehensive Zoning Ordinance. The applicant is seeking variances to permit an addition to an existing single-family residence resulting in open space that is not permeable, a fence with excessive height, and mechanical equipment located in the front yard.

The applicant is providing an open space ratio of .34; which exceeds the required .30 of Article 9, Section 9.3.A (Table 9-2); however, **Article 9, Section 9.3.C** states that all *required* open space be permeable. The required permeable open space at this site is 447.6 square feet. The applicant is proposing 303.6 square feet of permeable open space, which would require a waiver of 200 square feet. Further, **Article 21, Section 21.6.N.1.a** permits fence height up to seven (7) feet. The applicant is proposing to install a fence that is 10 feet in height on the Dauphine street side, requiring a waiver of three (3) feet. Lastly, **Article 21, Section 21.6.T.1** requires mechanical equipment to be located only in an interior side or rear yard. The applicant is proposing to place the mechanical equipment in the front yard, thus necessitating a waiver.

Figure 1. Proposed Site Plan

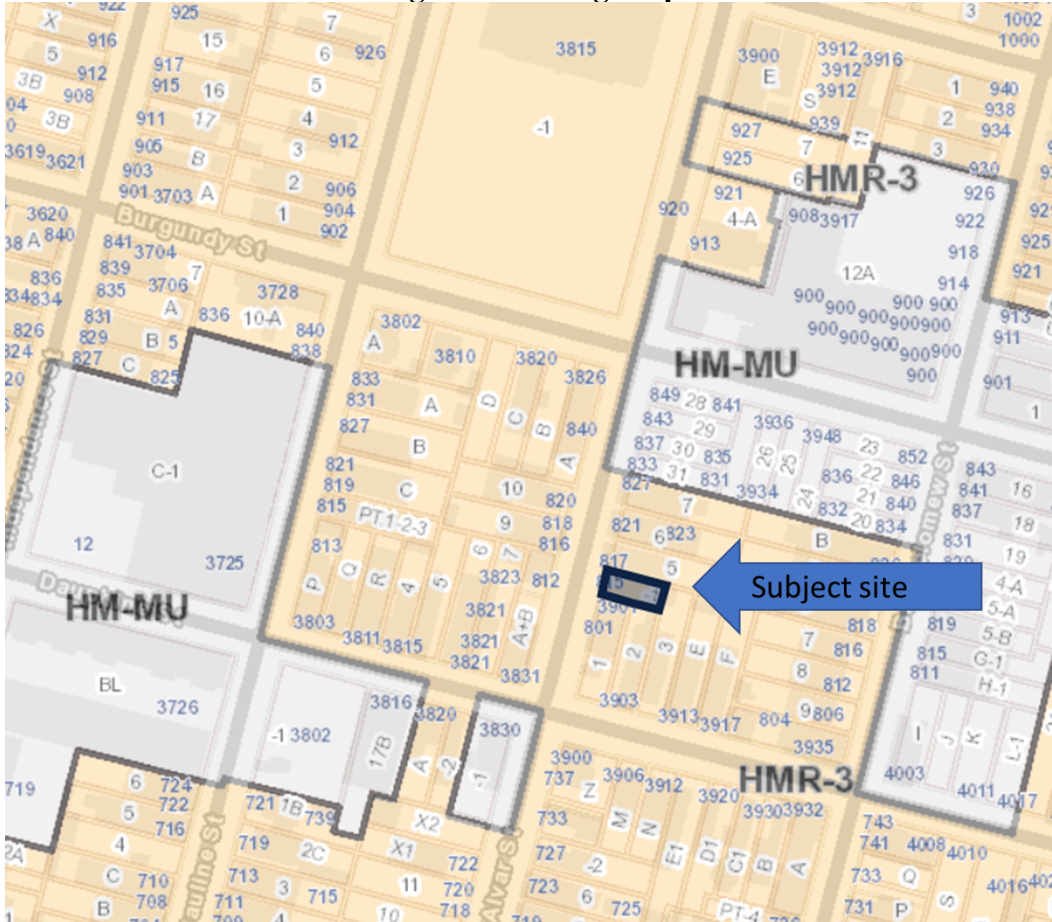


III. Surrounding Development

Current Zoning and Land Use:

The subject site is located in a large HMR-3 Historic Marigny/Tremé/ Bywater Residential District. This district is roughly bounded Montegut Street, St. Claude Avenue, Poland Avenue and Charters Street. The HMR-3 District is developed with Numerous historic structures that date to the end of the 18th century and early part of the 19th century. There are a variety of residential dwelling types integrated throughout the neighborhood as well as within a square. Single- and two-family structures consisting of one to two stories, with multi-family dwellings rising three to four stories or more. The area provides historic patterns of mixed residential and neighborhood commercial uses. The historic development pattern of this district provides minimal to no setbacks between structures with an absence of off-street parking.

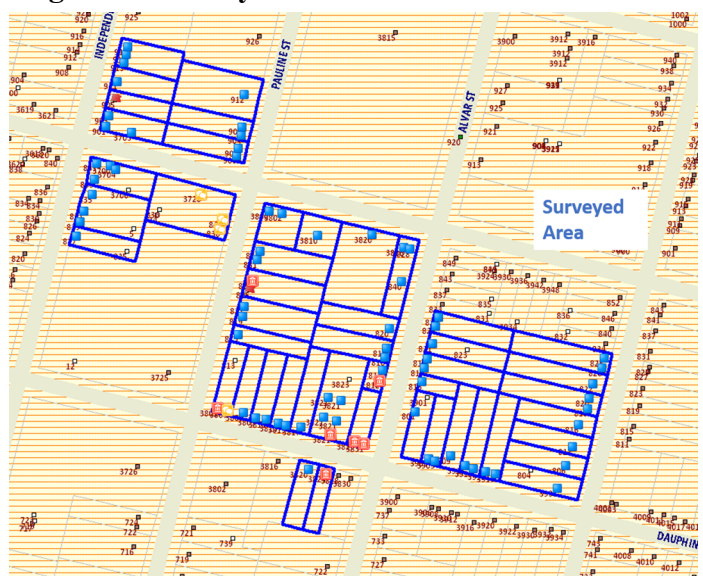
Figure 2. Zoning Map



Surrounding Area Patterns:

The staff surveyed a total of 40 properties¹ similarly situated near the petitioned site to determine compliance with the open space requirements of **Article 9, Section 9.3.C**, fence height regulations of **Article 21, Section 21.6.N.1.a** and mechanical equipment requirements of **Article 21, Section 21.6.T.1**. The staff determined that of the 40 properties surveyed 36 properties (90%) provided the open space required. Additionally, thirty-nine (39) of

Figure 3. Surveyed Area



¹ This figure does not include the petitioned site.

the 40 properties surveyed were developed either without fencing or with a fence that was compliant with the regulations. Finally, the staff determined that there were no properties among those surveyed developed with mechanical equipment in the front yard.

Table 1: Analysis of Surrounding Development

Open Space	#	%
Compliant	36	90%
Non-Compliant	4	10%
Total Properties Surveyed	40	100%

Table 2: Analysis of Surrounding Development

Fence Height	#	%
Compliant	39	97.50%
Non-Compliant	1	2.50%
Total Properties Surveyed	40	100%

Table 3: Analysis of Surrounding Development

Mechanical Equipment	#	%
Compliant	40	100%
Non-Compliant	0	0%
Total Properties Surveyed	40	100%

Table 4: Raw Data for Developed Properties near Petitioned Site²

Address	Use	Lot Width (ft)	Lot Depth (ft)	Lot Area	Req. Open Space	Provided Open Space ³	Compliant Open Space	Fence Height > 7'	Mech Equip Located in Front Yard
3824 Dauphine St	SF	23	95	2137	641	901	Yes	No	No
3911-3913 Dauphine St	SF	30	127	3810	1143	1629	Yes	No	No
3903-3905 Dauphine St	SF	29	102	2958	887	928	Yes	No	No
816 Bartholomew St	SF	31	120	3720	1116	2223	Yes	No	No
812 Bartholomew St	SF	31	120	3720	1116	2337	Yes	No	No
806 Bartholomew St	SF	32	120	3840	1152	2292	Yes	No	No
3935 Dauphine St	SF	120	32	3840	768	800	Yes	No	No
3801-3803 Dauphine St	2F	30	107	3210	642	793	Yes	No	No
3805 Dauphine St	2F	24	107	2568	770	1326	Yes	No	No

² Data was collected using the Orleans Parish Tax Assessor's website, Google Maps, Property Viewer, and in-field observations.

³ Dimensions are approximate as they were determined using the measurement tool on the Property Viewer website (<https://property.nola.gov/>).

3809-3811 Dauphine St	2F	33	107	3531	1059	655	No	No	No
3817 Dauphine St	SF	29	127	3683	1105	2012	Yes	No	No
816-818 Alvar St	2F	32	117	3744	1123	1828	Yes	No	No
3826 Burgundy St 3828 Burgundy St 840 Alvar St	2F	29	128	3712	742	1192	Yes	No	No
3810 Burgundy St	SF	58	64	3712	1114	2047	Yes	No	No
913-917 Independence St	2F	45	95	4275	1283	1201	No	No	No
905 Independence St	SF	27	95	2565	770	1040	Yes	No	No
900-902 Pauline St	2F	31	123	3813	763	1254	Yes	No	No
912 Pauline St	SF	64	123	7822	2347	5134	Yes	No	No
839-841 Independence St	2F	41	95	3895	779	1086	Yes	No	No
829-835 Independence St	2F	62	95	5891	1767	2735	Yes	No	No
827 Independence St	2F	32	95	3040	912	1015	Yes	No	No
812-814 Alvar St	SF	45	29	1305	392	375	No	No	No
819-821 Pauline St	2F	43	117	5031	1509	2794	Yes	No	No
825-827 Pauline St	2F	42	117	4714	1414	2842	Yes	No	No
831-833 Pauline St	SF	42	117	4914	1474	2707	Yes	No	No
822 Bartholomew St	2F	31	141	4681	1404	3124	Yes	No	No
826 Bartholomew St	2F	31	151	4681	1404	1916	Yes	No	No
825 Alvar St	2F	32	119	3808	1142	1721	Yes	No	No
821-823 Alvar St	2F	32	119	3808	1142	1412	Yes	No	No
817-819 Alvar St	2F	32	119	3808	1142	1787	Yes	No	No
801 Alvar St	SF	109	29	2958	592	861	Yes	No	No
3909 Dauphine St	SF	29	127	3683	1105	1986	Yes	No	No
3915-3917 Dauphine St	2F	30	127	3810	1143	1744	Yes	No	No
818-820 Bartholomew St	2F	31	151	4681	1404	1387	No	No	No
820 Alvar St	SF	33	117	3861	1158	1857	Yes	No	No
3800-3802 Burgundy St	SF	58	64	3712	742	1997	Yes	No	No
911 Independence St	SF	30	95	2850	855	1190	Yes	No	No
815 Pauline St	SF	19	117	2333	700	904	Yes	No	No
3820 Dauphine St	2F	30	95	2844	853	1748	Yes	No	No
904-906 Pauline St	2F	31	123	3936	1181	1342	Yes	Yes	No
815 Alvar St	SF	29	59.68	1494	448	303.6	No	Yes	Yes

Previous Variance History:

Table 5: Previous Variance History

Docket	Address	Variance	Required	Waiver	Disposition
BZA014-19	635 Esplanade Avenue	Open Space Ratio	.30	.30	Denied
BZA020-19	919 Roch Avenue	Fence Height	7 feet	3 feet	Denied
BZA008-18	2631-2633 Charters Street	Mechanical Equipment	5 feet	2 feet	Granted

Article 9, Section 9.3.C – Open Space

Since the current zoning ordinance went into effect in August of 2015, the Board has not heard any similar cases in the HMR-3 District for required permeable open space. There has been one

similar case in the HMR-2 District. **BZA014-19** was a case to permit the construction of a two-family residence with insufficient open space ratio. The development involved converting a non-residential use to a two-family residence, thus facilitating the need for the open space waiver. The waiver request was denied by the Board.

Article 21, Section 21.6.N.1.a – Fence Height

BZA020-19 was a case to permit the construction of a fence with excessive height. The variance was denied because the staff found that the requested variance failed to meet six of the nine criteria in that there were no special circumstances peculiar to the land, the applicant would not be deprived of rights commonly enjoyed by other properties in the district, granting the variance would confer on the applicant special privileges, the essential character of the locality would be altered, there was no hardship demonstrated, and the change was exclusively for the convenience and profit of the owner.

Article 21, Section 21.6.T.1 – Mechanical Equipment

BZA008-18 was a case to permit the renovation of a single-family residence with insufficient minimum rear yard setback which subsequently resulted in mechanical equipment that would be located closer than five (5) feet from a property line. Both variances were granted because the insufficient rear yard setback is essentially not an uncommon condition this historic district. The Board has not heard any other similar cases in the HMR-3 District since the current zoning ordinance went into effect. Further, the Board has not heard any variance requests in the HMR-3 District to permit mechanical equipment to be located in the front yard.

IV. HDLC/VCC/DAC Recommendations (where applicable)

The applicant consulted with HDLC in August-September of 2020 regarding the proposed development. HDLC found that the renovations were conceptually appropriate and could be approved at staff level. HDLC staff also noted that they don't generally weigh in on BZA cases unless there is a clear historic appropriateness issue.

V. Impact and Analysis

The purpose of the variance procedure is to afford an applicant relief from the requirements of the letter of this Ordinance when unnecessary hardship or practical difficulty exists. The Board of Zoning Adjustments may authorize a variance only when the evidence presented supports a finding that each case indicates all of the following:

- 1. Do special conditions and circumstances exist which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same zoning district?**

This standard is met.

While the subject lot provides the minimum bulk and yard requirements for the HMR-3 District in that a minimum of 25 feet in lot width is required and there is no lot depth requirement for single-family dwellings, the subject lot is significantly more narrow and shallower than the surrounding properties surveyed. The subject lot provides a lot width of 29 feet and lot depth of 59.68 feet. Seventy-three percent (73%) of the properties surveyed provide lots widths greater than 59.68 feet and 93% provide lot depths greater than 59.68 feet. Therefore, the staff believes that special circumstances do exist that are peculiar to the land, as noted in Table 6 below.

Table 6. Lot Width and Lot Depths of Surrounding Properties.⁴

Lot Dimensions	#	%
Properties providing lot widths > 29 feet	29	73%
Properties providing lot depths > 59.68 feet	37	93%
<i>Total Properties Surveyed</i>	<i>40</i>	

2. Will the literal interpretation of the provisions of the ordinance deprive the applicant of rights commonly enjoyed by other properties in the same district?

This standard is not met. The literal interpretation of the ordinance would not deprive the applicant of right commonly enjoyed by other properties in the same district.

Open Space

The staff surveyed 40 properties within the HMR-3 District and determined that of the 40 properties surveyed, 36 properties (90%) provided the permeable open space required.⁵

Mechanical Equipment

Thirty-nine (39) of the 40 properties surveyed were developed either with no fencing or with a fence that was compliant with the regulations.

Fence Height

The staff determined that there were no properties among those surveyed developed with mechanical equipment in the front yard.

⁴ These figures are based on the raw data found in Table 4.

⁵ This information is based on measurement taken with the measurement tool on the City's Property Viewer website.

3. **Do any special conditions and circumstances result from the actions of the applicant or any other person who may have (or had) an interest in the property?**

This standard is not met. The applicant's desire to expand the existing residence by building a deck is driving the need for all three variances. The applicant is proposing to convert the existing driveway to an outdoor living space which includes a raised deck and a 10-foot fence along the Dauphine Street side of the property.

Open Space

The new development would decrease the existing open space from 507 square feet, (where 447.6 of permeable open space is required) to 303.6 square feet of required permeable open space.

Fence Height

The raised deck will affect the applicant's line of sight into the adjacent property. In an effort to maintain privacy between the two residences, the applicant is also proposing to build a 10-foot fence along the Dauphine Street side. The CZO permits fence height up to seven (7) feet in Historic Districts. The applicant is proposing to install a fence that is 10 feet in height on the Dauphine street side.

Mechanical Equipment

Article 21, Section 21.6.T.1 requires mechanical equipment to be located only in an interior side or rear yard. With the proposed addition to the home, the applicant is limited on where the AC condenser can be placed on the property. The applicant is proposing to place the mechanical equipment in the front yard, which is prohibited.

4. **Will the granting of the variance confer on the applicant any special privilege which is denied by this ordinance to other lands, structures, or buildings in the same district or similarly situated?**

This standard is not met.

Open Space

Since the current zoning ordinance went into effect in August of 2015, the Board has not heard any similar cases in the HMR-3 District for required permeable open space. Further, there has been one similar case in the HMR-2 District, BZA014-19 was a case to permit the construction of a two-family residence with insufficient open space ratio. The development involved converting a non-residential use to a two-family residence, thus facilitating the need for the open space waiver. The waiver request was denied by the Board.

Mechanical Equipment

BZA008-18 was a case to permit the renovation of a single-family residence with insufficient minimum rear yard setback which subsequently resulted in mechanical equipment that would be located closer than five (5) feet from a property line. Both

variances were granted because the insufficient rear yard setback is essentially not an uncommon condition this historic district. The Board has not heard any other similar cases in the HMR-3 District since the current zoning ordinance went into effect. However, the Board has not heard any cases to permit mechanical equipment to be located in the front yard.

Fence Height

This standard is not met. BZA020-19 was a case to permit the construction of a fence with excessive height. The variance was denied because the staff found that the requested variance failed to meet six of the nine criteria in that there were no special circumstances peculiar to the land, the applicant would not be deprived of rights commonly enjoyed by other properties in the district, granting the variance would confer on the applicant special privileges, the essential character of the locality would be altered, there was no hardship demonstrated, and the change was exclusively for the convenience and profit of the owner. The Board has not heard any other similar cases in the HMR-3 District since the current zoning ordinance went into effect.

5. Will the variance(s), if granted, alter the essential character of the locality?

This standard is not met.

Open Space

The new development would decrease the existing open space from 507 square feet, (where 447.6 of permeable open space is required) to 303.6 square feet of required permeable open space.

Mechanical Equipment

Thirty-nine (39) of the 40 properties surveyed were developed either without fencing or with a fence that was compliant with the regulations.

Fence Height

The staff determined that there were no properties among those surveyed developed with mechanical equipment located in the front yard.

6. Will strict adherence to the property regulations result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience?

This standard is not met. The applicant's desire to expand the existing residence by building a deck is driving the need for all three variances.

Open Space

The staff surveyed 40 properties within the HMR-3 District and determined that of the 40 properties surveyed 36 properties (90%) provided the open space required.

Fence Height

The staff determined that there were no properties among those surveyed developed with mechanical equipment in the front yard.

Mechanical Equipment

Thirty-nine (39) of the 40 properties surveyed were developed either without fencing or with a fence that was compliant with the regulations.

7. **Is the purpose of the variance based exclusively upon a desire to serve the convenience or profit of the property owner, or other interested party(s)?**

This standard is not met. The applicant's desire to expand the existing residence by building a deck is driving the need for all three variances. The applicant is proposing to convert the existing driveway to an outdoor living space which includes a raised deck. The staff believe the purpose of the variances is based exclusively upon the desire to serve the convenience of the property owner.

Open Space

The new development would decrease the existing open space from 507 square feet, (where 447.6 of permeable open space is required) to 303.6 square feet of required permeable open space.

Fence Height

The raised deck will affect the applicant's line of sight into the adjacent property and in an effort to maintain privacy between the two residences, the applicant is proposing to build a 10-foot fence along the Dauphine Street side.

Mechanical Equipment

With the new development, the applicant only option, according to submitted plans, is to place the AC condenser in the front yard.

8. **Will the variance be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located?**

This standard is met.

The variances, if granted, will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

9. **Will the variance impair the adequate supply of light and air to adjacent property, substantially increase traffic congestion in the public street, increase the danger of fire, or endanger the public safety?**

This standard is met.

None of these impacts are associated with the proposed development. Although, the applicant is also proposing a fence on the Dauphine Street side that exceeds the height requirement in Historic District, the proposed 10-foot fence would ensure privacy between petition site and its adjacent neighbor.

VI. Staff Recommendation (May 17, 2021)

Based on this report, the staff believes that the requested variances of **Article 9, Section 9.3.C – Permeable Open Space, Article 21, Section 21.6.N.1.a – Fence Height, and Article 21, Section 21.6.T.1 – Mechanical Equipment** fail to meet 6 of the 9 criteria of the Standards for Variances of **Article 4, Section 4.6.F** of the Comprehensive Zoning Ordinance, in that:

- Literal interpretation of the ordinance will not deprive the applicant of rights commonly enjoyed by other properties in the district,
- The special circumstances were caused by the applicant,
- The variance will confer on the applicant special privileges,
- Granting the variance will alter the essential character of the locality,
- The property regulations will not result in a demonstrable hardship, and
- The change is exclusively for the convenience and profit of the owner.

Therefore, the staff recommends **DENIAL** of the requested variances.

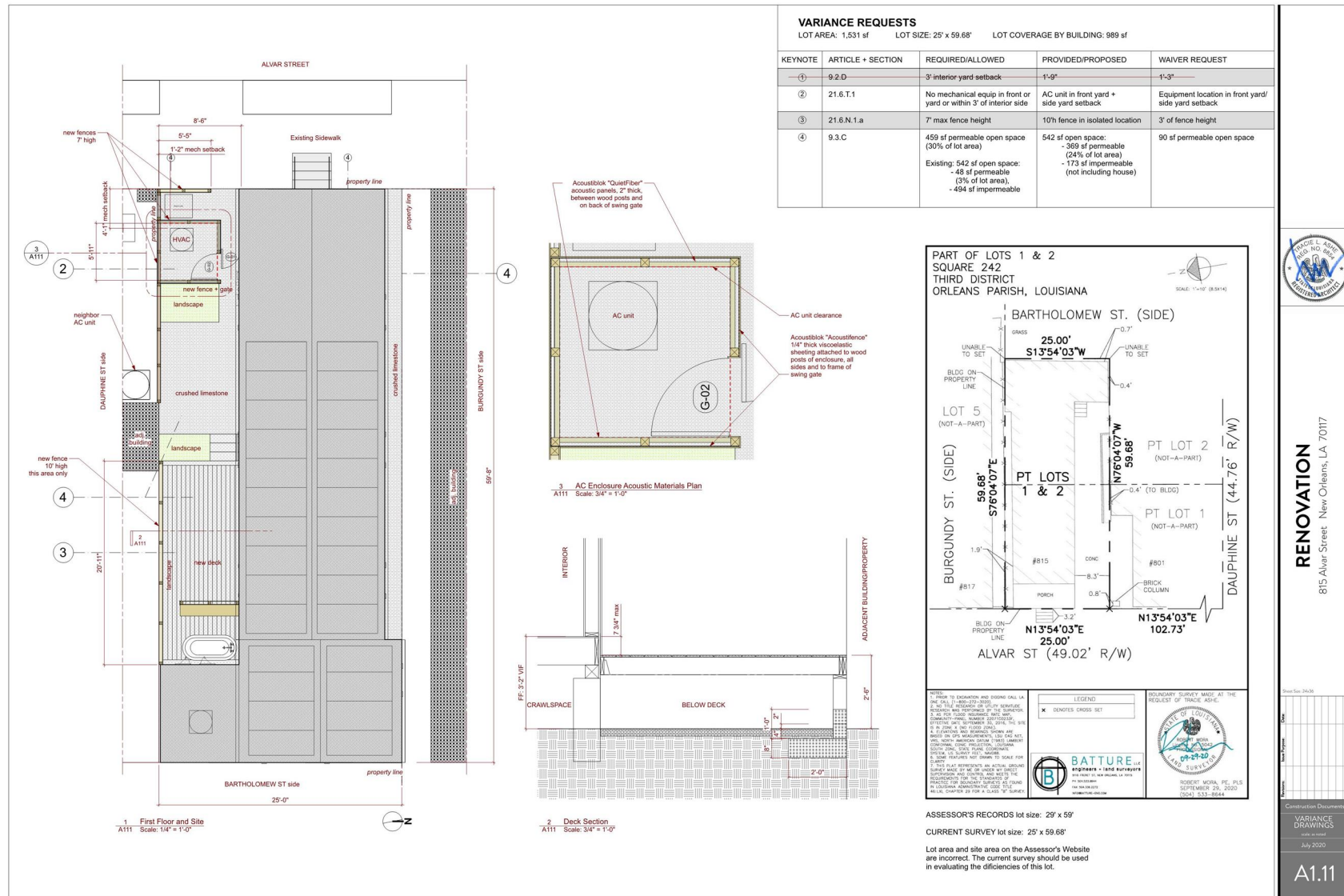
VII. BZA Action (May 17, 2021)

At its May 17, 2017 Meeting, the Board deferred this matter at the request of the applicant to allow the applicant to make revisions to the site plan.

VIII. Additional Information:

On June 3, 2021, the applicant submitted a revised site plan which indicates a proposed 369 square feet of permeable open space. While the proposed location of the mechanical equipment has not changed, the applicant is now proposing to enclose the HVAC unit within a 7-foot fence. Product data was also submitted which indicates the fence would be constructed with QuietFiber® Hydrophobic Noise Absorption Material, which is engineered for maximum noise absorption. The staff also notes that the addition of a 7-foot fence along Alvar Street would obscure the mechanical equipment from the public right-of-way. The applicant also submitted correspondence with HDLC concerning the possibility of placing the mechanical equipment on the roof. HDLC advised that this placement would require Commission approval as it would be “silhouetted” against the sky and/or so prominently elevated and visible down the side alley. Finally, the applicant also provided a letter of support from their 801 Alvar Street neighbor, which is included in the Granicus packet of this report.

Figure 4. Revised Site Plan 6/3/2021



IX. Impact and Analysis:

The purpose of the variance procedure is to afford an applicant relief from the requirements of the letter of this Ordinance when unnecessary hardship or practical difficulty exists. The Board of Zoning Adjustments may authorize a variance only when the evidence presented supports a finding that each case indicates all of the following:

1. **Do special conditions and circumstances exist which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same zoning district?**

This standard is met.

While the subject lot provides the minimum bulk and yard requirements for the HMR-3 District in that a minimum of 25 feet in lot width is required and there is no lot depth requirement for single-family dwellings, the subject lot is significantly more narrow and shallower than the surrounding properties surveyed. The subject lot provides a lot width of 29 feet and lot depth of 59.68 feet. Seventy-three percent (73%) of the properties surveyed provide lots widths greater than 59.68 feet and 93% provide lot depths greater than 59.68 feet. Therefore, the staff believes that special circumstances do exist that are peculiar to the land, as noted in Table 6 below.

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Lot Dimensions	#	%
Properties providing lot widths > 29 feet	29	73%
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<i>Total Properties Surveyed</i>	<i>40</i>	

2. **Will the literal interpretation of the provisions of the ordinance deprive the applicant of rights commonly enjoyed by other properties in the same district?**

This standard is not met.

The literal interpretation of the ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same district. The applicant's desire to construct a raised deck on the existing property is driving the need for all three variances.

Open Space

The staff has considered the applicant's effort to modify drawings to become more compliant with the CZO from 303.6 square feet to 369 square feet of permeable open

⁶ These figures are based on the raw data found in Table 4.

space where 447.6 is required. The staff surveyed 40 properties within the HMR-3 District and determined that of the 40 properties surveyed, 36 properties (90%) provided the required permeable open space.⁷ Should the Board choose to approve this variance, the staff recommends the following proviso.

- **Prior** to the issuance of a building permit from the Department of Safety and Permits, the applicant shall file a deed restriction on the title of the property indicating that the impermeable space should not be further increased prior to the transfer of the property to any other owner.

Fence Height

Thirty-nine (39) of the 40 properties surveyed were developed either with no fencing or with a fence that was compliant with the regulations.

Mechanical Equipment

Article 21, Section 21.6.T.1 requires mechanical equipment to be located only in an interior side or rear yard. With the proposed addition of the raised deck to the home, the applicant is limited on where the AC condenser can be placed on the property. The applicant is proposing to place the mechanical equipment in the front yard, which is prohibited. As indicated previously in this report, the staff found no similar conditions where mechanical equipment was situated in the front yard. However, while the proposed location of the mechanical equipment has not changed since the May 17, 2021 hearing, the applicant is now proposing to enclose the HVAC unit within a 7-foot fence and indicates the fence would be constructed with material engineered for maximum noise absorption. The staff adds that with the addition of the proposed 7-foot fence, the proposed location is still prohibited, however it would not be visible from the public right-of-way, thus creating a more desirable condition. Should the Board choose to approve this variance, to ensure that the fence is constructed as proposed on the revised site plan, the staff recommends the following proviso:

- Final plans shall indicate fencing around the mechanical equipment to be located in the front yard, as indicated on the revised site plan. The design of the fencing shall be subject to the review and approval of the Board of Zoning staff.

3. Do any special conditions and circumstances result from the actions of the applicant or any other person who may have (or had) an interest in the property?

This standard is not met.

⁷ This information is based on measurement taken with the measurement tool on the City's Property Viewer website.

The applicant's desire to expand the existing residence by building a deck is driving the need for all three variances. The applicant is proposing to convert the existing driveway to an outdoor living space which includes a raised deck and a 10-foot fence along the Dauphine Street side of the property.

Open Space

The staff has considered the applicant's effort to modify drawings to become more compliant with the CZO, however the staff believes that the special circumstances were caused by the applicant's desire to construct a raised deck on the property.

Fence Height

The construction of raised deck will affect the applicant's line of sight into the adjacent property. The CZO permits fence height up to seven (7) feet in Historic Districts. In an effort to maintain privacy between the two residences, the applicant is also proposing to build a 10-foot fence along the Dauphine Street side. And while the staff believes that under these circumstances a 10-foot fence would be appropriate, the condition was caused by the applicant.

Mechanical Equipment

Article 21, Section 21.6.T.1 requires mechanical equipment to be located only in an interior side or rear yard. With the proposed addition to the home, the applicant is limited on where the AC condenser can be placed on the property. The applicant is proposing to place the mechanical equipment in the front yard, which is prohibited. The staff believes that the special circumstances were caused by the applicant's desire to construct a raised deck on the property.

4. **Will the granting of the variance confer on the applicant any special privilege which is denied by this ordinance to other lands, structures, or buildings in the same district or similarly situated?**

This standard is not met.

Open Space

Since the current zoning ordinance went into effect in August of 2015, the Board has not heard any similar cases in the HMR-3 District for required permeable open space. Further, there has been one similar case in the HMR-2 District, **BZA014-19** was a case to permit the construction of a two-family residence with insufficient open space ratio. The development involved converting a non-residential use to a two-family residence, thus facilitating the need for the open space waiver. The waiver request was denied by the Board.

Fence Height

BZA020-19 was a case to permit the construction of a fence with excessive height. The variance was denied because the staff found that the requested variance failed to meet six of the nine criteria in that there were no special circumstances peculiar to the land, the

applicant would not be deprived of rights commonly enjoyed by other properties in the district, granting the variance would confer on the applicant special privileges, the essential character of the locality would be altered, there was no hardship demonstrated, and the change was exclusively for the convenience and profit of the owner. The Board has not heard any other similar cases in the HMR-3 District since the current zoning ordinance went into effect.

Mechanical Equipment

BZA008-18 was a case to permit the renovation of a single-family residence with insufficient minimum rear yard setback which subsequently resulted in mechanical equipment that would be located closer than five (5) feet from a property line. Both variances were granted because the insufficient rear yard setback is essentially not an uncommon condition in this historic district. The Board has not heard any other similar cases in the HMR-3 District since the current zoning ordinance went into effect. However, the Board has not heard any cases to permit mechanical equipment to be located in the front yard.

5. Will the variance(s), if granted, alter the essential character of the locality?

This standard is not met.

Open Space

The staff has considered the applicant's effort to modify drawings to become more compliant with the CZO from 303.6 square feet to 369 square feet of permeable open space where 447.6 is required. However, the staff surveyed 40 properties within the HMR-3 District and determined that the majority of the properties surveyed provided the required permeable open space.⁸ Granting this variance could set a precedent for future developments in this district.

Fence Height

The staff again notes that thirty-nine (39) of the 40 properties surveyed were developed either without fencing or with a fence that was compliant with the regulations. The staff believes that the need for the 10-foot fence is driven primarily by the applicant's desire to construct a raised deck, the staff believes that permitting an excessively high fence at this location sets a precedent for future developments, thereby altering the essential character of the locality.

Mechanical Equipment

The staff believes that the need to relocate the AC unit to the front yard is driven primarily by the applicant's desire to construct a raised deck onto the existing property. The applicant is proposing to place the mechanical equipment in the front yard, which is prohibited. Permitting mechanical equipment to be placed in the front yard would alter the essential character of the locality as it would set a precedent for future developments.

⁸ This information is based on measurement taken with the measurement tool on the City's Property Viewer website.

6. **Will strict adherence to the property regulations result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience?**

This standard is not met.

The applicant's desire to expand the existing residence by building a raised deck is driving the need for all three variances. The staff has not identified a demonstrable hardship.

7. **Is the purpose of the variance based exclusively upon a desire to serve the convenience or profit of the property owner, or other interested party(s)?**

This standard is not met. Again, the applicant's desire to convert the existing driveway to an outdoor living space which includes a raised deck is driving the need for all three variances. The staff believe the purpose of the variances is based exclusively upon the desire to serve the convenience of the property owner.

8. **Will the variance be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located?**

This standard is met.

The variances, if granted, will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

9. **Will the variance impair the adequate supply of light and air to adjacent property, substantially increase traffic congestion in the public street, increase the danger of fire, or endanger the public safety?**

This standard is met.

None of these impacts are associated with the proposed development. Although, the applicant is also proposing a fence on the Dauphine Street side that exceeds the height requirement in Historic District, the proposed 10-foot fence would ensure privacy between petition site and its adjacent neighbor.

X. Staff Recommendation (June 7, 2021)

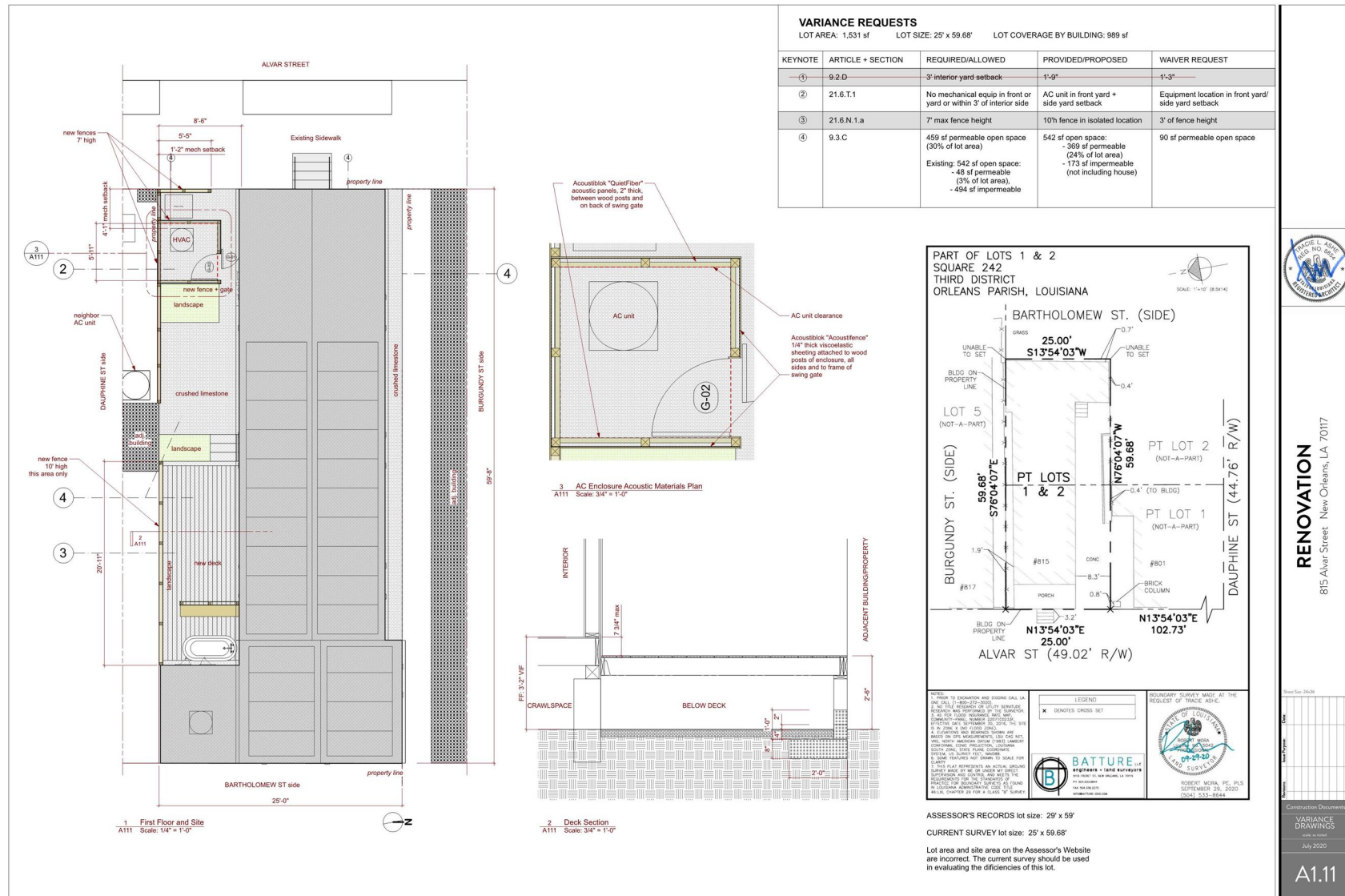
Based on this report, the staff believes that the requested variances of **Article 9, Section 9.3.C – Permeable Open Space, Article 21, Section 21.6.N.1.a – Fence Height, and Article 21, Section 21.6.T.1 – Mechanical Equipment** fail to meet 6 of the 9 criteria of

the Standards for Variances of **Article 4, Section 4.6.F** of the Comprehensive Zoning Ordinance, in that:

- Literal interpretation of the ordinance will not deprive the applicant of rights commonly enjoyed by other properties in the district,
- The special circumstances were caused by the applicant,
- The variance will confer on the applicant special privileges,
- Granting the variance will alter the essential character of the locality,
- The property regulations will not result in a demonstrable hardship, and
- The change is exclusively for the convenience of the owner.

Therefore, the staff recommends DENIAL of the requested variances.

Figure 4. Revised Site Plan 6/3/2021



IX. Impact and Analysis:

The purpose of the variance procedure is to afford an applicant relief from the requirements of the letter of this Ordinance when unnecessary hardship or practical difficulty exists. The Board of Zoning Adjustments may authorize a variance only when the evidence presented supports a finding that each case indicates all of the following:

1. **Do special conditions and circumstances exist which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same zoning district?**

This standard is met.

While the subject lot provides the minimum bulk and yard requirements for the HMR-3 District in that a minimum of 25 feet in lot width is required and there is no lot depth requirement for single-family dwellings, the subject lot is significantly more narrow and shallower than the surrounding properties surveyed. The subject lot provides a lot width of 29 feet and lot depth of 59.68 feet. Seventy-three percent (73%) of the properties surveyed provide lots widths greater than 59.68 feet and 93% provide lot depths greater than 59.68 feet. Therefore, the staff believes that special circumstances do exist that are peculiar to the land, as noted in Table 6 below.

Table 6. Lot Width and Lot Depths of Surrounding Properties.⁶

Lot Dimensions	#	%
Properties providing lot widths > 29 feet	29	73%
Properties providing lot depths > 59.68 feet	37	93%
<i>Total Properties Surveyed</i>	<i>40</i>	

2. **Will the literal interpretation of the provisions of the ordinance deprive the applicant of rights commonly enjoyed by other properties in the same district?**

This standard is not met.

The literal interpretation of the ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same district. The applicant's desire to construct a raised deck on the existing property is driving the need for all three variances.

Open Space

The staff has considered the applicant's effort to modify drawings to become more compliant with the CZO from 303.6 square feet to 369 square feet of permeable open

⁶ These figures are based on the raw data found in Table 4.

space where 447.6 is required. The staff surveyed 40 properties within the HMR-3 District and determined that of the 40 properties surveyed, 36 properties (90%) provided the required permeable open space.⁷ Should the Board choose to approve this variance, the staff recommends the following proviso.

- **Prior** to the issuance of a building permit from the Department of Safety and Permits, the applicant shall file a deed restriction on the title of the property indicating that the impermeable space should not be further increased prior to the transfer of the property to any other owner.

Fence Height

Thirty-nine (39) of the 40 properties surveyed were developed either with no fencing or with a fence that was compliant with the regulations.

Mechanical Equipment

Article 21, Section 21.6.T.1 requires mechanical equipment to be located only in an interior side or rear yard. With the proposed addition of the raised deck to the home, the applicant is limited on where the AC condenser can be placed on the property. The applicant is proposing to place the mechanical equipment in the front yard, which is prohibited. As indicated previously in this report, the staff found no similar conditions where mechanical equipment was situated in the front yard. However, while the proposed location of the mechanical equipment has not changed since the May 17, 2021 hearing, the applicant is now proposing to enclose the HVAC unit within a 7-foot fence and indicates the fence would be constructed with material engineered for maximum noise absorption. The staff adds that with the addition of the proposed 7-foot fence, the proposed location is still prohibited, however it would not be visible from the public right-of-way, thus creating a more desirable condition. Should the Board choose to approve this variance, to ensure that the fence is constructed as proposed on the revised site plan, the staff recommends the following proviso:

- Final plans shall indicate fencing around the mechanical equipment to be located in the front yard, as indicated on the revised site plan. The design of the fencing shall be subject to the review and approval of the Board of Zoning staff.

3. Do any special conditions and circumstances result from the actions of the applicant or any other person who may have (or had) an interest in the property?

This standard is not met.

⁷ This information is based on measurement taken with the measurement tool on the City's Property Viewer website.

The applicant's desire to expand the existing residence by building a deck is driving the need for all three variances. The applicant is proposing to convert the existing driveway to an outdoor living space which includes a raised deck and a 10-foot fence along the Dauphine Street side of the property.

Open Space

The staff has considered the applicant's effort to modify drawings to become more compliant with the CZO, however the staff believes that the special circumstances were caused by the applicant's desire to construct a raised deck on the property.

Fence Height

The construction of raised deck will affect the applicant's line of sight into the adjacent property. The CZO permits fence height up to seven (7) feet in Historic Districts. In an effort to maintain privacy between the two residences, the applicant is also proposing to build a 10-foot fence along the Dauphine Street side. And while the staff believes that under these circumstances a 10-foot fence would be appropriate, the condition was caused by the applicant.

Mechanical Equipment

Article 21, Section 21.6.T.1 requires mechanical equipment to be located only in an interior side or rear yard. With the proposed addition to the home, the applicant is limited on where the AC condenser can be placed on the property. The applicant is proposing to place the mechanical equipment in the front yard, which is prohibited. The staff believes that the special circumstances were caused by the applicant's desire to construct a raised deck on the property.

4. **Will the granting of the variance confer on the applicant any special privilege which is denied by this ordinance to other lands, structures, or buildings in the same district or similarly situated?**

This standard is not met.

Open Space

Since the current zoning ordinance went into effect in August of 2015, the Board has not heard any similar cases in the HMR-3 District for required permeable open space. Further, there has been one similar case in the HMR-2 District, **BZA014-19** was a case to permit the construction of a two-family residence with insufficient open space ratio. The development involved converting a non-residential use to a two-family residence, thus facilitating the need for the open space waiver. The waiver request was denied by the Board.

Fence Height

BZA020-19 was a case to permit the construction of a fence with excessive height. The variance was denied because the staff found that the requested variance failed to meet six of the nine criteria in that there were no special circumstances peculiar to the land, the

applicant would not be deprived of rights commonly enjoyed by other properties in the district, granting the variance would confer on the applicant special privileges, the essential character of the locality would be altered, there was no hardship demonstrated, and the change was exclusively for the convenience and profit of the owner. The Board has not heard any other similar cases in the HMR-3 District since the current zoning ordinance went into effect.

Mechanical Equipment

BZA008-18 was a case to permit the renovation of a single-family residence with insufficient minimum rear yard setback which subsequently resulted in mechanical equipment that would be located closer than five (5) feet from a property line. Both variances were granted because the insufficient rear yard setback is essentially not an uncommon condition in this historic district. The Board has not heard any other similar cases in the HMR-3 District since the current zoning ordinance went into effect. However, the Board has not heard any cases to permit mechanical equipment to be located in the front yard.

5. Will the variance(s), if granted, alter the essential character of the locality?

This standard is not met.

Open Space

The staff has considered the applicant's effort to modify drawings to become more compliant with the CZO from 303.6 square feet to 369 square feet of permeable open space where 447.6 is required. However, the staff surveyed 40 properties within the HMR-3 District and determined that the majority of the properties surveyed provided the required permeable open space.⁸ Granting this variance could set a precedent for future developments in this district.

Fence Height

The staff again notes that thirty-nine (39) of the 40 properties surveyed were developed either without fencing or with a fence that was compliant with the regulations. The staff believes that the need for the 10-foot fence is driven primarily by the applicant's desire to construct a raised deck, the staff believes that permitting an excessively high fence at this location sets a precedent for future developments, thereby altering the essential character of the locality.

Mechanical Equipment

The staff believes that the need to relocate the AC unit to the front yard is driven primarily by the applicant's desire to construct a raised deck onto the existing property. The applicant is proposing to place the mechanical equipment in the front yard, which is prohibited. Permitting mechanical equipment to be placed in the front yard would alter the essential character of the locality as it would set a precedent for future developments.

⁸ This information is based on measurement taken with the measurement tool on the City's Property Viewer website.

6. **Will strict adherence to the property regulations result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience?**

This standard is not met.

The applicant's desire to expand the existing residence by building a raised deck is driving the need for all three variances. The staff has not identified a demonstrable hardship.

7. **Is the purpose of the variance based exclusively upon a desire to serve the convenience or profit of the property owner, or other interested party(s)?**

This standard is not met. Again, the applicant's desire to convert the existing driveway to an outdoor living space which includes a raised deck is driving the need for all three variances. The staff believe the purpose of the variances is based exclusively upon the desire to serve the convenience of the property owner.

8. **Will the variance be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located?**

This standard is met.

The variances, if granted, will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

9. **Will the variance impair the adequate supply of light and air to adjacent property, substantially increase traffic congestion in the public street, increase the danger of fire, or endanger the public safety?**

This standard is met.

None of these impacts are associated with the proposed development. Although, the applicant is also proposing a fence on the Dauphine Street side that exceeds the height requirement in Historic District, the proposed 10-foot fence would ensure privacy between petition site and its adjacent neighbor.

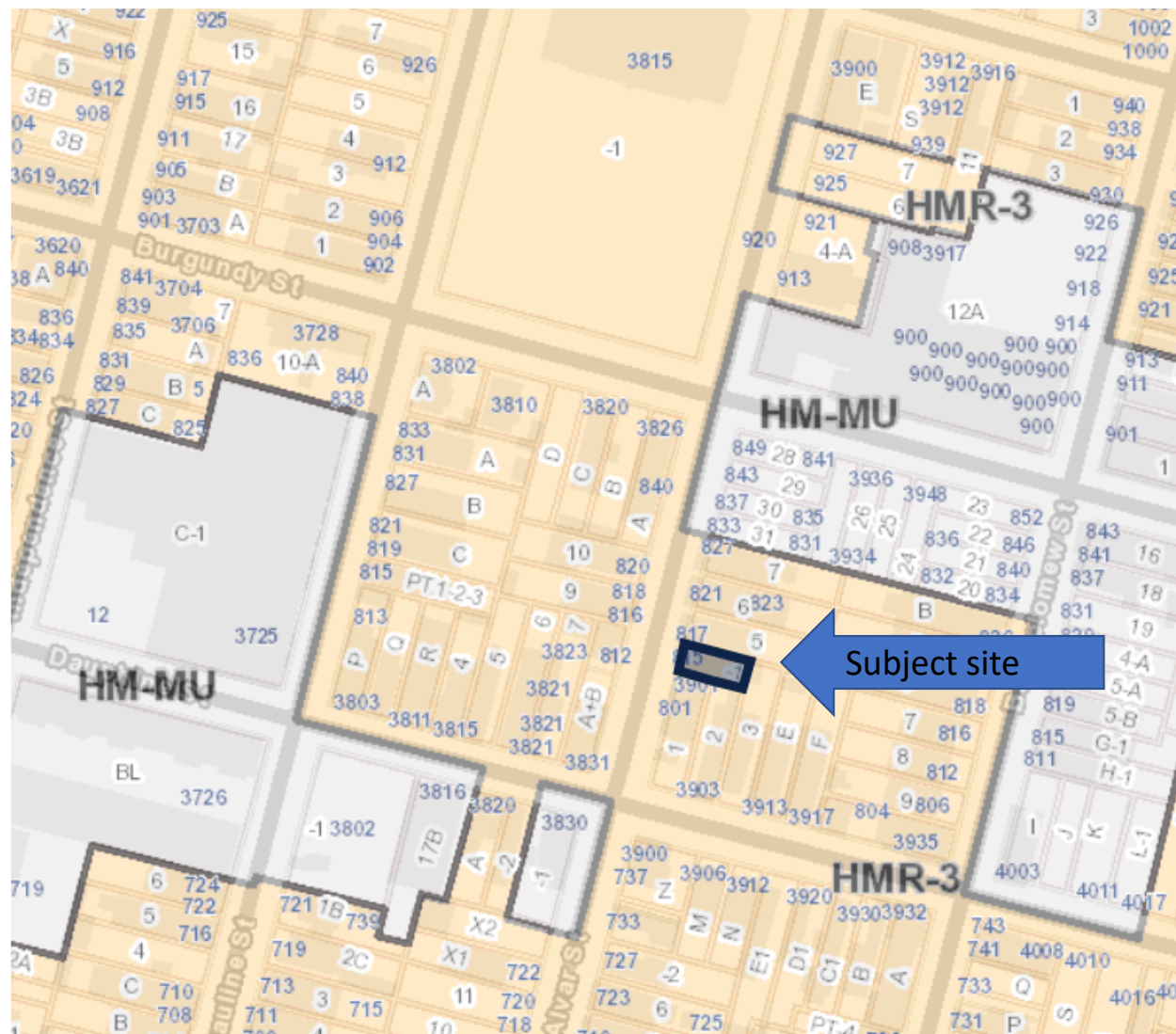
X. Staff Recommendation (June 7, 2021)

Based on this report, the staff believes that the requested variances of **Article 9, Section 9.3.C – Permeable Open Space, Article 21, Section 21.6.N.1.a – Fence Height, and Article 21, Section 21.6.T.1 – Mechanical Equipment** fail to meet 6 of the 9 criteria of

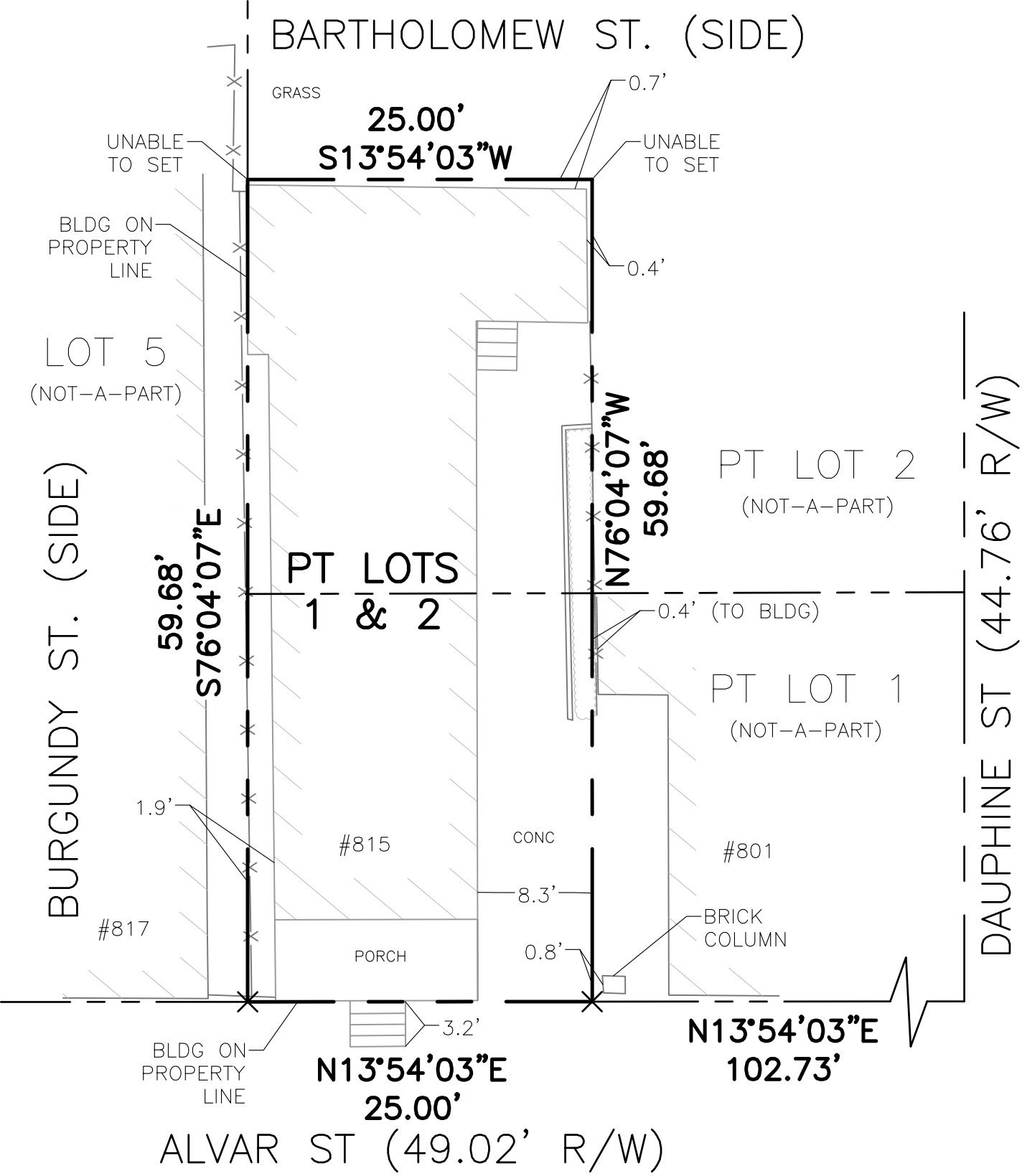
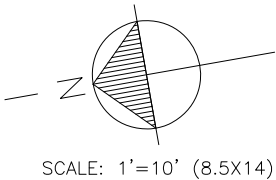
the Standards for Variances of **Article 4, Section 4.6.F** of the Comprehensive Zoning Ordinance, in that:

- Literal interpretation of the ordinance will not deprive the applicant of rights commonly enjoyed by other properties in the district,
- The special circumstances were caused by the applicant,
- The variance will confer on the applicant special privileges,
- Granting the variance will alter the essential character of the locality,
- The property regulations will not result in a demonstrable hardship, and
- The change is exclusively for the convenience of the owner.

Therefore, the staff recommends DENIAL of the requested variances.

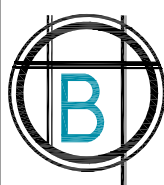


PART OF LOTS 1 & 2
SQUARE 242
THIRD DISTRICT
ORLEANS PARISH, LOUISIANA



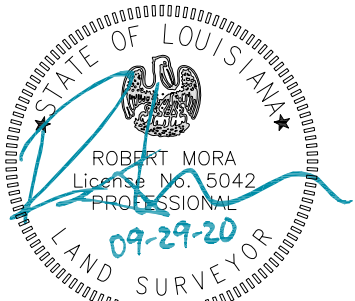
NOTES:
1. PRIOR TO EXCAVATION AND DIGGING CALL LA. ONE CALL (1-800-272-3020).
2. NO TITLE RESEARCH OR UTILITY SERVITUDE RESEARCH WAS PERFORMED BY THE SURVEYOR.
3. AS PER FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 22071C0233F, EFFECTIVE DATE SEPTEMBER 30, 2016, THE SITE IS IN ZONE X (NO FLOOD ZONE).
4. ELEVATIONS AND BEARINGS SHOWN ARE BASED ON GPS MEASUREMENTS, LSU C4G NET, VRS, NORTH AMERICAN DATUM (1983) LAMBERT CONFORMAL CONIC PROJECTION, LOUISIANA SOUTH ZONE, STATE PLANE COORDINATE SYSTEM, US SURVEY FEET, NAVD88.
6. SOME FEATURES NOT DRAWN TO SCALE FOR CLARITY
7. THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL AND MEETS THE REQUIREMENTS FOR THE STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS AS FOUND IN LOUISIANA ADMINISTRATIVE CODE TITLE 46:LXI, CHAPTER 29 FOR A CLASS "B" SURVEY.

LEGEND
X DENOTES CROSS SET

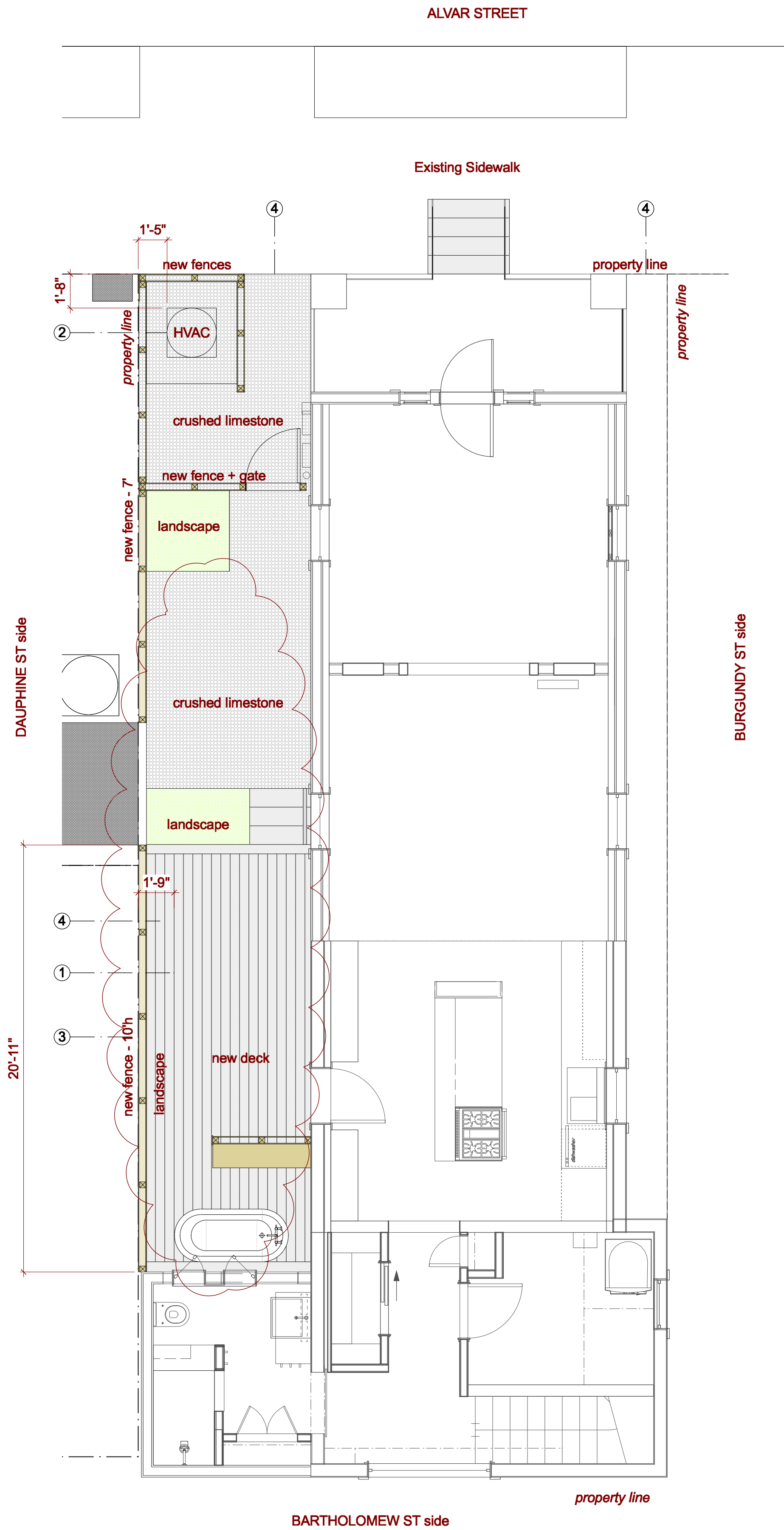


BATTURE LLC
engineers + land surveyors
5110 FRERET ST, NEW ORLEANS, LA 70115
PH 504.533.8644
FAX 504.336.2272
INFO@BATTURE-ENG.COM

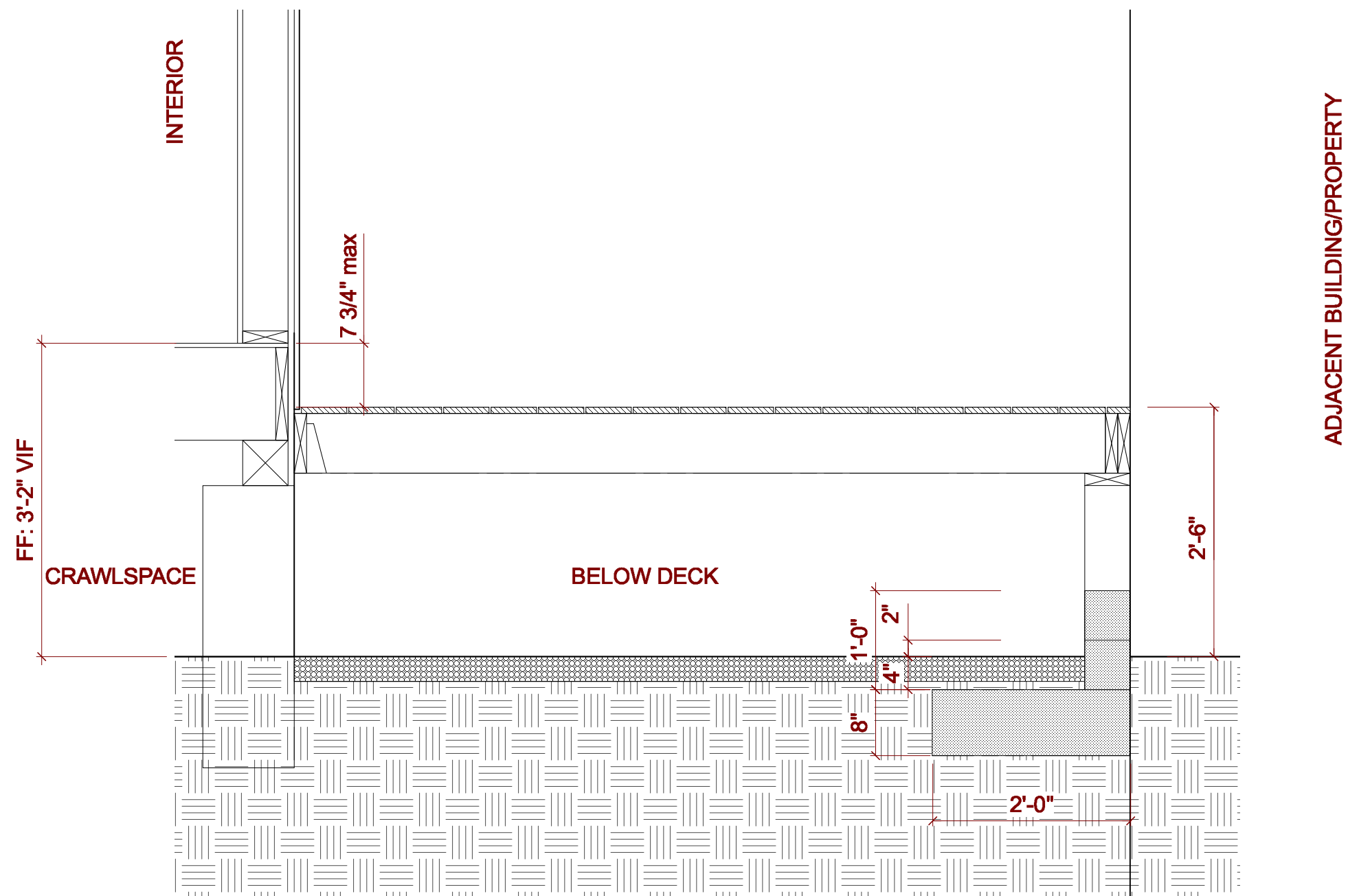
BOUNDARY SURVEY MADE AT THE REQUEST OF TRACIE ASHE.



ROBERT MORA, PE, PLS
SEPTEMBER 29, 2020
(504) 533-8644



1 First Floor and Site
A111 Scale: 1/4" = 1'-0"



2 Deck Section
A111 Scale: 3/4" = 1'-0"

VARIANCE REQUESTS

ARTICLE + SECTION	REQUIRED/ALLOWED	PROVIDED/PROPOSED	WAIVER REQUEST
① 9.2.D	3' interior yard setback	1'-9"	1'-3"
② 21.6.T.1	No mechanical equip in front or yard or within 3' of interior side	AC unit in front yard + side yard setback	Equipment location in front yard/ side yard setback
③ 21.6.N.1.a	7' max fence height	10'h fence in isolated location	3' of fence height
④ 9.3.C	448 sf permeable open space (30% of lot area) Existing: 447 sf open space: - 47 sf permeable (3% of lot area), - 460 sf impermeable	507 sf open space: 144 sf - 290 sf permeable (10% of lot area) - 217 sf impermeable	243 sf permeable open space

KEYNOTES



RENOVATION
815 Alvar Street New Orleans, LA 70117

Sheet Size: 24x36

Revisions: Date: Issue Purpose:

Construction Documents

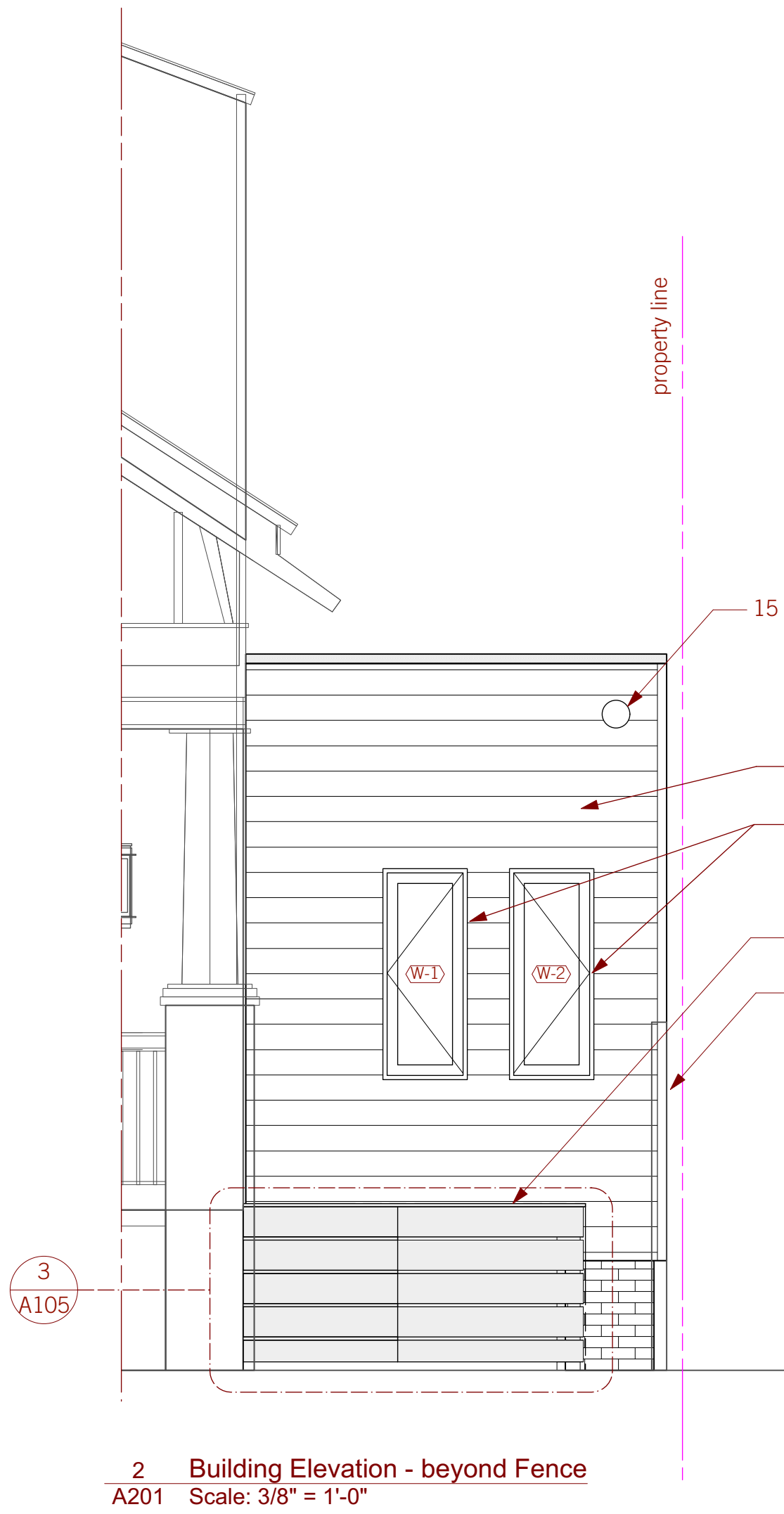
VARIANCE DRAWINGS
scale: as noted

July 2020

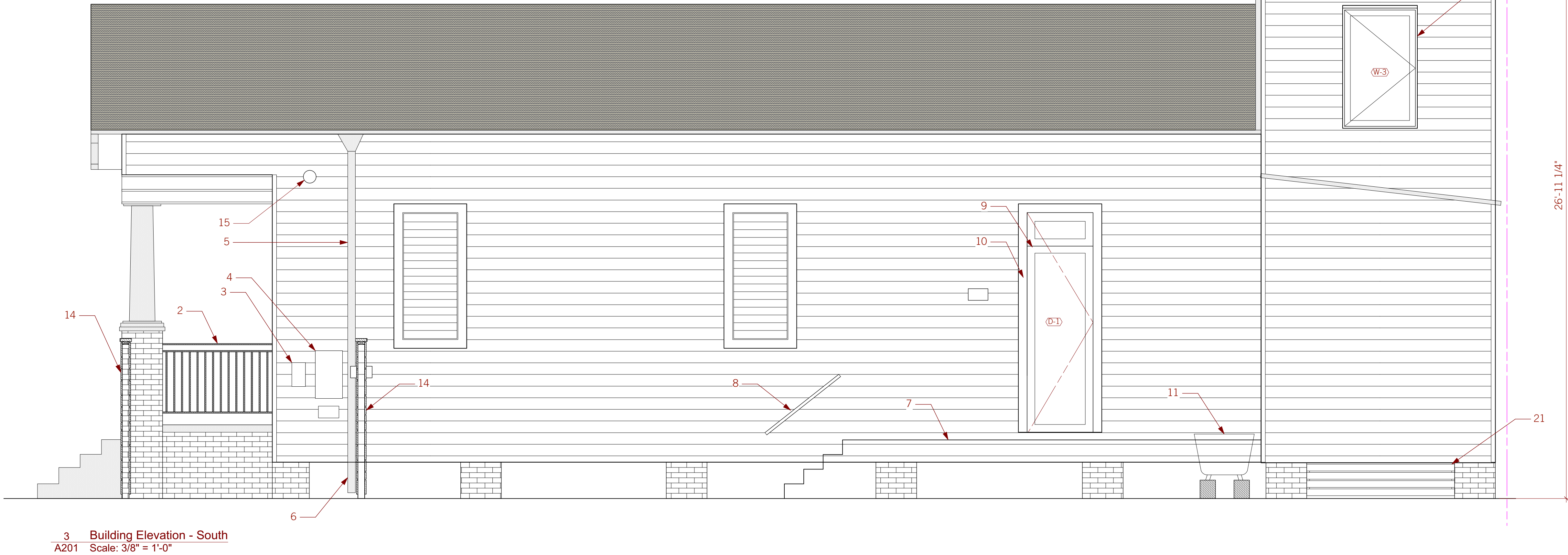
A1.11



1 Building Elevation - with Fence
A201 Scale: 3/8" = 1'-0"



2 Building Elevation - beyond Fence
A201 Scale: 3/8" = 1'-0"



3 Building Elevation - South
A201 Scale: 3/8" = 1'-0"

- KEYNOTES
1. New window
 2. New railing to match existing opposite
 3. Gas meter
 4. Fuse box
 5. Existing downpipe
 6. Replaced damaged leaderhead and downpipe, paint to match house
 7. Deck
 8. Pipe handrail
 9. New door with transom per product selections
 10. Trim to match existing openings
 11. Clawfoot tub set into new deck. Support/lift from below using concrete blocks
 12. N/A
 13. Repair/replace siding/sheathing as needed following removal of existing windows/doors
 14. Fence per details
 15. Security camera by others
 16. Fence + gate per details
 17. N/A
 18. Deck per details
 19. N/A
 20. Solar panels by others
 21. Treated 2x4, painted, installed on treated blocking attached to the inside face of each brick pier
 22. N/A

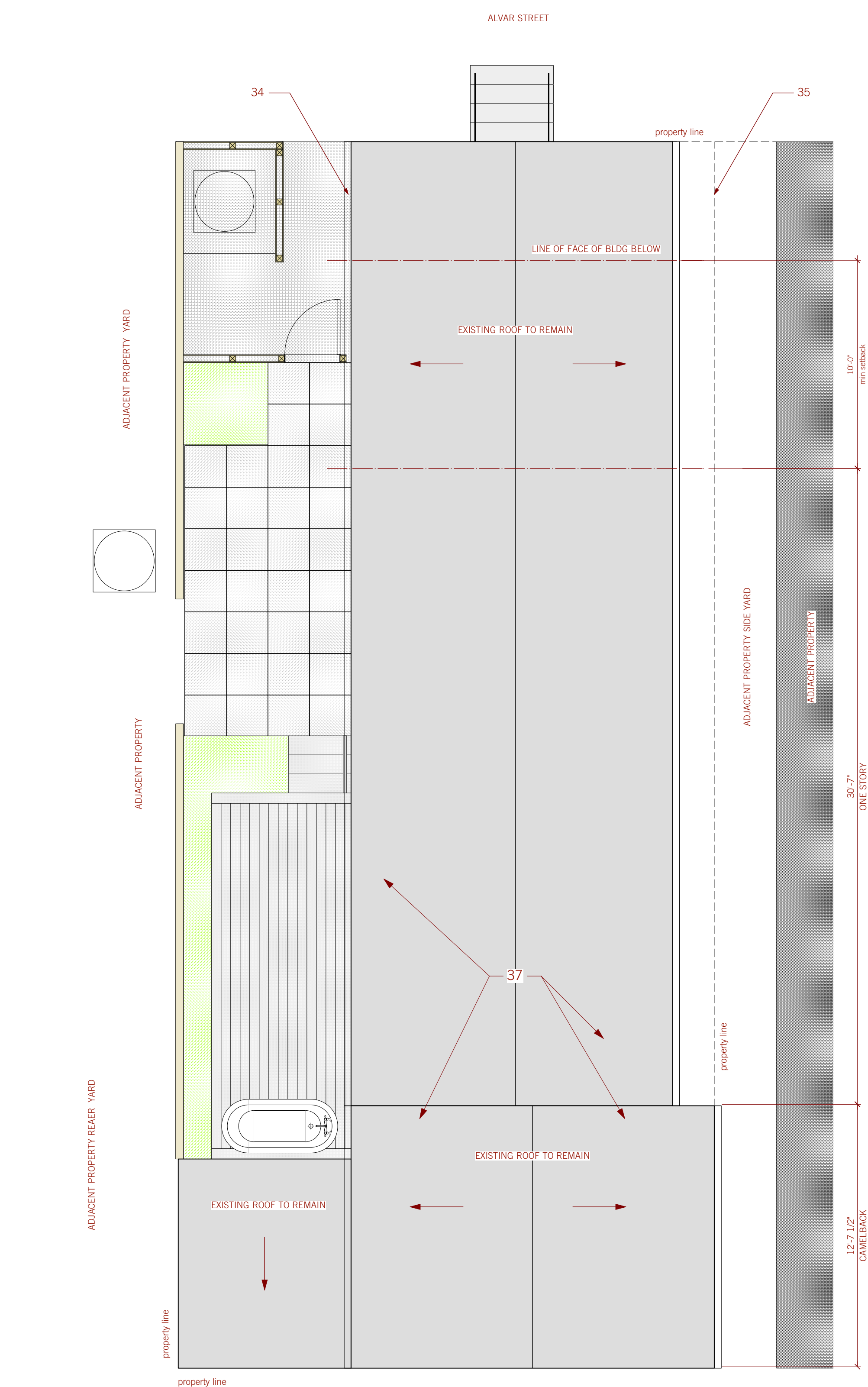
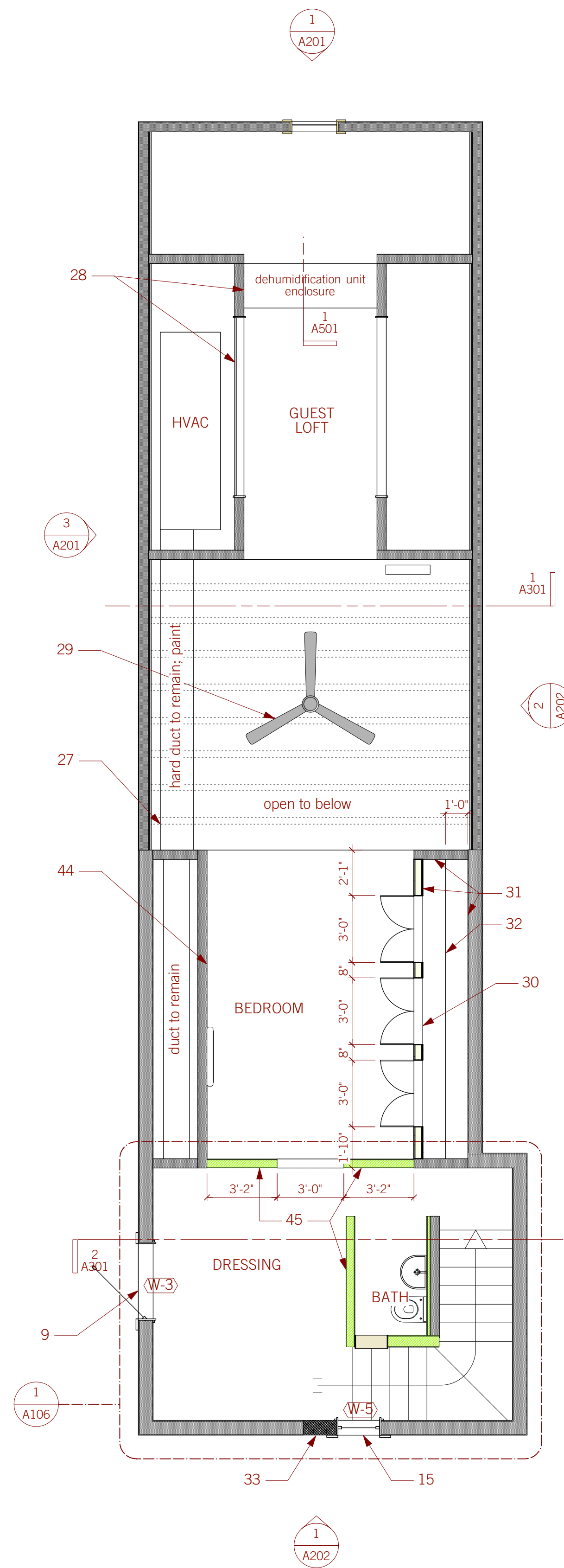
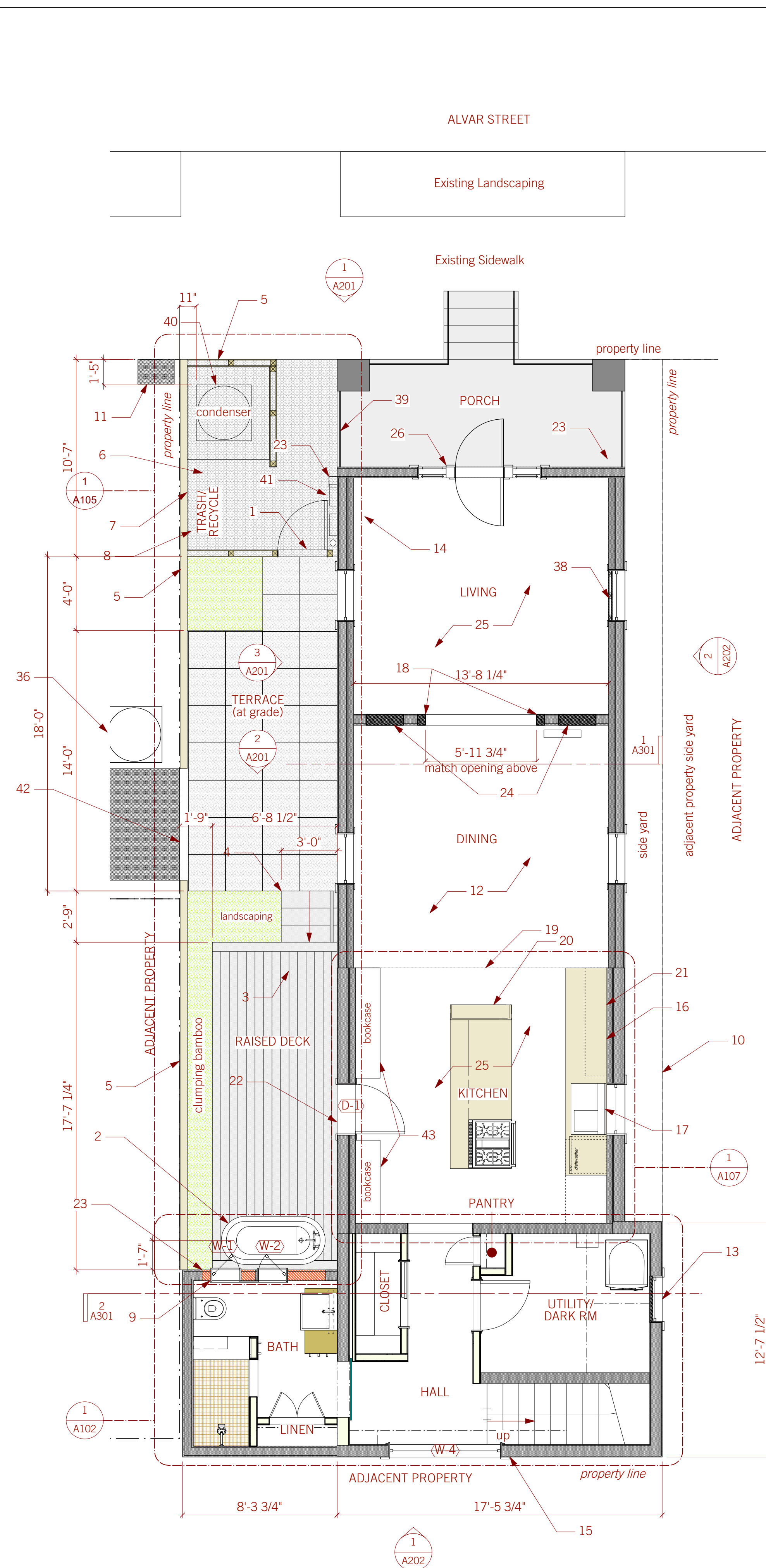


RENOVATION
815 Alvar Street New Orleans, LA 70117

Sheet Size: 24x36

Revisions:	Date:
Issue Purpose:	
Construction Documents	
BUILDING ELEVATIONS	
scale: as noted	
July 2020	

A2.01



- ## KEYNOTES
1. Gate to match wood fence
 2. Relocate claw foot tub, new fittings. Tub to be recessed into deck, supported from below.
 3. Raised deck on pressure treated wood structure. Deck boards: 2" x 6" head treated ash, or other similar, t+g, 6" board exposure
 4. Wood stair to match raised wood deck
 5. Wood slat fence
 6. Crushed limestone gravel
 7. Hose + hose reel
 8. Trash bin storage
 9. New 4" minimum casement window
 10. Fence to remain
 11. Brick pier belonging to adjacent property, not in scope; stabilize during construction
 12. Paint wood floors throughout first floor
 13. Caulk window fully closed from interior and exterior. Install blocking inside frame, patch with gyp bd.
 14. Wall mounted TV
 15. New window, fixed glazing
 16. New countertops per Elevations.
 17. New faucet, soap dispenser, and new towel bar
 18. Build in sides of existing opening to match opening width above
 19. Line of loft above
 20. Eave shelf below countertop - see Elevations
 21. Modify shelves per Elevations: Add shelf above existing (to ceiling); add doors for enclosed storage (eliminate open end shelves); re-finish cabinets (TBD - paint?)
 22. New door in existing window opening
 23. Reinstall camera (by others)
 24. Infill openings to match wall adjacent
 25. @ beaded board ceiling: Either caulk visible gaps including perimeter, or replace boards fully with t+g 4" exposure planks, painted (decision based on cost)
 26. Install weatherstripping @ front door side lites; new entry hardware for door
 27. Replace exposed flex duct here with hard duct to match existing; painted
 28. Acoustic eggcrate liner - adhesive-applied to interior of door and walls of HVAC closet and dehumidification unit enclosure (as much as possible with limited space)
 29. New fan with blocking as required for mounting from ridge
 30. Plywood panel doors, painted, metal frames, magnetic latch catch on each pair
 31. Finish interior of new storage with gyp bd.
 32. Plywood shelf across full length of storage (if possible)
 33. Infill exterior wall where window removed
 34. Existing gutters to remain, both sides of building
 35. Existing chain link fence to remain
 36. Adjacent property's condensing unit - existing location
 37. SOLAR PANELS
 38. Close in window from the inside. Remove interior trim, install blocking in opening, close in with plywood, paint full wall
 39. Relocate meter to match existing on opposite side of porch
 40. Relocate condensing unit here
 41. Existing gas meter + fuse box
 42. Stop fence at either side of house
 43. Relocate existing Dining Room shelves here. New plywood end panels, paint shelves + panels to match
 44. TV on wall
 45. New walls



RENOVATION

815 Alvar Street New Orleans, LA 70117

Sheet Size: 24x36

[illegible]

Construction Documents

FLOOR PLANS

scale: 1/4" = 1'-0"

July 2020

A1.01

8 February 2021

Board of Zoning Adjustments
1300 Perdido Street
New Orleans, LA 70112

Dear Members of the Board,

The following information and attached drawings are submitted for your consideration for the renovation project at 815 Alvar Street in New Orleans. The project submitted herein is a renovation of an existing single-family dwelling. The goal of this request is to give this property livable outdoor space, which it currently lacks and which cannot be incorporated at the rear.

We are proposing a variance for:

- construction of a raised deck in an existing driveway to convert the driveway to an outdoor living area
- construction of a privacy fence between the deck and the adjacent property
- relocating an existing AC condensing unit to the front of the property
- increase permeable open space to reduce existing deficiency

The subject site was created by slicing off the back of two adjacent properties (801 Alvar St, 3905 Dauphine St):

Legal Description	1. SQ 242 REAR PT LOT 1 2 ALVAR 2. 29X59 3. SGLE 1/STORY 5 1/2/RM A/R
--------------------------	---

The lot measures 25' x 59'-8" and the house sits on the property line on three sides (partially on the two long sides, fully on the rear property line). There is currently a driveway in the residual space on one side of the house measuring 8'-3" wide.

1. *Special conditions and circumstances exist that are peculiar to the land or structure involved and are not generally applicable to other lands or structures in the same zoning district.*

The subject site is deficient in size to its neighboring lots, having been created by carving out the back of two adjacent properties.

2. *Literal interpretation of the provision of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.*

Other properties on the block and in the neighborhood generally enjoy a rear yard offering usable, outdoor, private space to residences. With the existing house situated on the property line on three sides toward the rear, there is no opportunity for this rear yard at this site. The plan below shows this condition.

studioWTA **architecture+planning+interiors**

1119 Tchoupitoulas Street
New Orleans, Louisiana 70130
504.593.9074

studiowta.com



3. *The special conditions and circumstances do not result from the actions of the applicant or any other person who may have had an interest in the property.*

All the conditions are existing from the original structure built between 1900 and 1915.

4. *Granting the variance requested will not confer on the applicant any special privilege which is denied by this ordinance to other lands or structures in the same district or similarly situated area.*

Other properties do not have the constrictions of this site, so do not require any variances to achieve livable open space.

5. *The variance, if granted, will not alter the essential character of the locality.*

We have spoken with the HDLC about the proposal and they are in favor of all the requests and the overall design proposal.

6. *Strict adherence to the regulations by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.*

Strict adherence to the regulations would diminish the livability of a fully designed outdoor space which others enjoy. Other properties are able to incorporate raised decks, landscaping, and to locate their mechanical equipment in more ideal locations than available on this site.

7. *The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(s).*

No profit would be gained by this variance.

8. *The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*

There will be no detriment to the public welfare or injury to other properties in the neighborhood. The owners of the adjacent property have seen the design and have voiced their approval. (See attached letters.)

9. *The property variance will not impair an adequate supply of light and air to adjacent property, increase substantially the congestion in the public street, increase the danger of fire, or endanger the public safety.*

The variance will not impact air or light to adjacent properties, nor increase street congestion or danger of fire, or endanger public safety.

Best,

A handwritten signature in blue ink, appearing to read 'Tracie Ashe', with a stylized, flowing script.

Tracie Ashe, AIA
studioWTA



Tracie Ashe <tracie@studiowta.com>

my house on its hobbit lot - BZA approval needed

Elliott Perkins <ceperkins@nola.gov>

Mon, Sep 14, 2020 at 10:53 AM

To: tracie ashe <tracie@studiowta.com>, Alex Nassar <anassar@nola.gov>

Tracie, the hdlc doesn't generally weigh in on bza waivers unless there is a clear historic appropriateness issue.

C. Elliott Perkins
Executive Director
New Orleans and Central Business District Historic District Landmarks Commission

From: tracie ashe <tracie@studiowta.com>**Sent:** Friday, September 11, 2020 6:15:32 PM**To:** Alex Nassar <anassar@nola.gov>; Elliott Perkins <ceperkins@nola.gov>**Subject:** Re: my house on its hobbit lot - BZA approval needed

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt please forward this message to phishing@nola.gov

i'm going to try to get letters of support from my neighbors, but i think i will need a recommendation from you all, if you support the three variance requests, for inclusion in my application.

thanks

tracie ashe wrote on 9/11/20 4:03 PM:

hey guys: as an addition to moving the AC unit, i'm going to request variances from BZA for the following, which i'd like HDLC support for:

- raised deck - deck is more than 18" above grade, so request to allow it to occur in the side yard set back
 - 3' required
 - 1'-9" requested
 - variance: 1'-3"
- fence along interior property line
 - for part of the fence indicated on A101, i request a fence height of 10' for privacy from the adjacent property
 - not visible from the street if installed in conjunction with front fence (7'h)

any questions, let me know.

thanks!

tracie

Tracie Ashe wrote on 8/21/20 2:00 PM:

thanks - i'm starting up with s+p again and want to make sure the HDLC approve dwgs are the new ones i sent vs the much smaller scope.

Alex Nassar wrote on 8/21/20 1:51 PM:

Hey Tracie,

Sorry this slipped through the cracks. The proposal is something we could approve at the staff level provided certain details of the fencing and gates met our guidelines. Conceptually this is appropriate.

Thank you,

Alex Nassar
Plans Examiner
NO Historic District Landmarks Commission
1300 Perdido Street, 7th floor
New Orleans, LA 70112
504-658-7048
anassar@nola.gov
www.nola.gov/hdlc

From: Tracie Ashe <tracie@studiowta.com>
Sent: Friday, August 21, 2020 1:01 PM
To: Elliott Perkins <ceperkins@nola.gov>; Alex Nassar <anassar@nola.gov>
Subject: Re: my house on its hobbit lot - BZA approval needed

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hi elliot and alex:

checking in on the review of my revised scope.

thanks!

tracie

tracie ashe wrote on 7/31/20 5:01 PM:

drawings 3 of 3

tracie ashe wrote on 7/31/20 5:00 PM:

drawings 2 of 3

tracie ashe wrote on 7/31/20 4:59 PM:

for full review - drawings will be attached here
and in 2 following emails for size.

thanks—

tracie

[New Orleans LA 70130](#)

504.593.9074 o
504.635.1107 d
504.864.9927 m

studiowta.com

January 19, 2021

To: The Board of Zoning Adjustments
City of New Orleans

Re: Request by Owner of 815 Alvar Street

Dear Board Members,

I own the property at 3905 Dauphine Street. My back yard abuts the side yard of 815 Alvar Street. I understand the owner, Tracie Ashe, would like to build a deck and new fence in order to create outdoor space for her property, and that the design requires your approval for those things.

I'm in support of her requests to allow a deck in the side yard setback and to allow a 10' tall fence between our properties and have no objections to the proposal. This will give her some outdoor living area while maintaining privacy for both of us, will not be visible from the street, and will not negatively impact my property or grant her any advantages that surrounding neighbors don't enjoy.

There is an existing white plastic picket fence on my property (currently attached to the chain link fence on the property line) which will be reinstalled by my neighbor as part of the work. The existing tree(s) on my property will be protected from damage during construction.

Thank you,

A handwritten signature in black ink, appearing to read 'Robert Bodenheimer', with a stylized flourish at the end.

Robert Bodenheimer
Owner, 3905 Dauphine Street
504-329-8008

January 19, 2021

To: The Board of Zoning Adjustments
City of New Orleans

Re: Request by Owner of 815 Alvar Street

Dear Board Members,

I own the property at 3905 Dauphine Street. My back yard abuts the side yard of 815 Alvar Street. I understand the owner, Tracie Ashe, would like to build a deck and new fence in order to create outdoor space for her property, and that the design requires your approval for those things.

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There is an existing white plastic picket fence on my property (currently attached to the chain link fence on the property line) which will be reinstalled by my neighbor as part of the work. The existing tree(s) on my property will be protected from damage during construction.

Thank you,

A handwritten signature in black ink, appearing to read 'Robert Bodenheimer', with a stylized flourish at the end.

Robert Bodenheimer
Owner, 3905 Dauphine Street
504-329-8008

Valerie Goines

From: Jensen, Joan F <jjensen@tulane.edu>
Sent: Monday, April 26, 2021 9:47 PM
To: Valerie Goines
Subject: 815 Alvar St.

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Dear Valerie,

I own the property at 816-18 Alvar. I am concerned about the relocation of the AC unit to the front of the home.

I would be against having a loud noise such as a condenser in the front yard. Also, why do they need a fence with excessive height???

I think the noise will be irritating and I do not understand why they cannot place it in the back of the home on a raised platform like many homes in the area have.

I am not opposed to the fence or the addition, but the AC does not belong in the front!
Please let me know if there is anything else I need to do about my complaint.

thank you,

Joan Jensen
816 Alvar St.
N.O.La. 70115

Valerie Goines

From: tracie ashe <tracie@studiowta.com>
Sent: Wednesday, May 5, 2021 9:32 AM
To: Valerie Goines
Subject: Re: 815 Alvar - BZA042-21
Attachments: A111_variance dwgs.pdf

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hi valerie -

i've added the deck section to the variance plan sheet i sent before.

since the deck encroaching doesn't require a variance, i wanted to know if i could extend it to the property line, then replace the terrace pavers with crushed limestone to create more permeable open space, reducing my open space waiver to 200 sf. the changes are shown on the drawing - please let me know.

thanks—

tracie

Valerie Goines wrote on 5/4/21 10:44 AM:

Tracie,

Would you be able to add the height dimension of the proposed new deck to the elevations?

Valerie Goines

City Planner | New Orleans City Planning Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112
(504) 658-7006 (forwarded to personal cell) | valerie.goines@nola.gov

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RESOURCES:

[Application forms](#)
[Property Viewer](#) (check the zoning of a property)
[Comprehensive Zoning Ordinance](#)
[One Stop App](#)
[Frequently Asked Questions](#)

COVID-19:

In an effort to prevent the spread of COVID-19 to our employees and members of the public, our staff is working remotely and will not have any face to face contact with members of the public. Staff is available from 8am to 5pm to assist the public by phone or email. More information about our remote operations can be found at nola.gov/cpc.

Note: Response times and service provided may take longer than normal due severe staffing deficiency.

From: tracie ashe <tracie@studiowta.com>
Sent: Wednesday, April 28, 2021 9:41 AM
To: Valerie Goines <Valerie.Goines@nola.gov>
Subject: Re: 815 Alvar - BZA042-21

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ah, okay! that makes sense. thanks.

Valerie Goines wrote on 4/28/21 9:29 AM:

Based on the survey, the camel back portion of existing structure is on the property line on the Burgundy Street side and .4 inches on the Dauphine Street side; which is an existing non-conformity. Unless you are building past that .4 inches on the Dauphine Street side, which would increase the non-conformity, then you would not need a variance for side yard setback.

Valerie Goines

City Planner | New Orleans City Planning Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112
(504) 658-7006 (forwarded to personal cell) | valerie.goines@nola.gov

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From: Tracie Ashe <tracie@studiowta.com>
Sent: Tuesday, April 27, 2021 4:59 PM
To: Valerie Goines <Valerie.Goines@nola.gov>
Subject: Re: 815 Alvar - BZA042-21

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it does come out from the existing house, higher than 18" from grade, and extends into the side yard setback. i'm not exactly sure what you mean by "does not protrude from the existing house." if you determine i don't need that waiver, that's great - but it seemed to me that i do.

Valerie Goines wrote on 4/27/21 4:51 PM:

No side yard setback waiver that is.

Valerie Goines

City Planner | New Orleans City Planning Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112
(504) 658-7006 (forwarded to personal cell) | valerie.goines@nola.gov

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From: Valerie Goines
Sent: Tuesday, April 27, 2021 4:50 PM
To: Tracie Ashe <tracie@studiowta.com>
Subject: RE: 815 Alvar - BZA042-21

So, after consulting with my colleague, we don't believe you will need a variance for the deck because from what we can see on the elevations, the proposed deck does not protrude from the existing house.

Valerie Goines

City Planner | New Orleans City Planning Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112
(504) 658-7006 (forwarded to personal cell) | valerie.goines@nola.gov

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From: Tracie Ashe <tracie@studiowta.com>
Sent: Tuesday, April 27, 2021 2:40 PM
To: Valerie Goines <Valerie.Goines@nola.gov>
Subject: Re: 815 Alvar - BZA042-21

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hi valerie -

the attached email has responses from alex (approvable) and elliott (HDLC doesn't weigh in on bza issues) in the thread.

thanks—

tracie

Valerie Goines wrote on 4/27/21 2:25 PM:

Hello again, Tracie.

In your letter to the board you mention your communication with HDLC and their approval; would you be able to forward the correspondence so, that it can be included in the BZA report?

Valerie Goines

City Planner | New Orleans City Planning Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112
(504) 658-7006 (forwarded to personal cell) |
valerie.goines@nola.gov

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From: tracie ashe <tracie@studiowta.com>
Sent: Tuesday, April 27, 2021 11:27 AM
To: Valerie Goines <Valerie.Goines@nola.gov>
Subject: Re: 815 Alvar - BZA042-21

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hi valerie - see attached. i'm working from home so if you have any questions when you come by the house, i'll probably be here and available.

thanks—

tracie

Valerie Goines wrote on 4/27/21 11:09 AM:

Good morning, Tracie.

I just left a voice message for you. When you are available, please call me. I have questions concerning the permeable open space waiver request.

I am working from home today. I can be reached at (601) 622-0537.

Valerie Goines

City Planner | New Orleans City Planning
Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New
Orleans, LA 70112
(504) 658-7006 | valerie.goines@nola.gov

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From: Valerie Goines

Sent: Monday, April 26, 2021 3:49 PM

To: Tracie Ashe

[<tracie@studiowta.com>](mailto:tracie@studiowta.com)

Subject: 815 Alvar - BZA042-21

Good afternoon, Tracie.

Per our earlier conversation, would you be able to provide a “cleaner” copy of the site plan with the following revisions:

- Remove the floor plan layer
- Remove the markups referencing the construction keynotes
- Add the side yard setback on the Dauphine St side
- Add permeable open space percentage
- Mark all proposed/new construction (i.e. deck, fencing, etc...)

Thank you.

Valerie Goines

City Planner | New Orleans City Planning Commission

Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112

(504) 658-7006 | valerie.goines@nola.gov

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Sent from [Postbox](#)

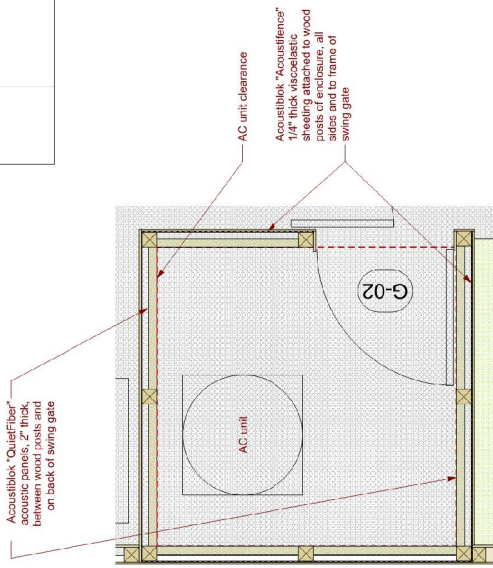
Sent from [Postbox](#)

Sent from [Postbox](#)

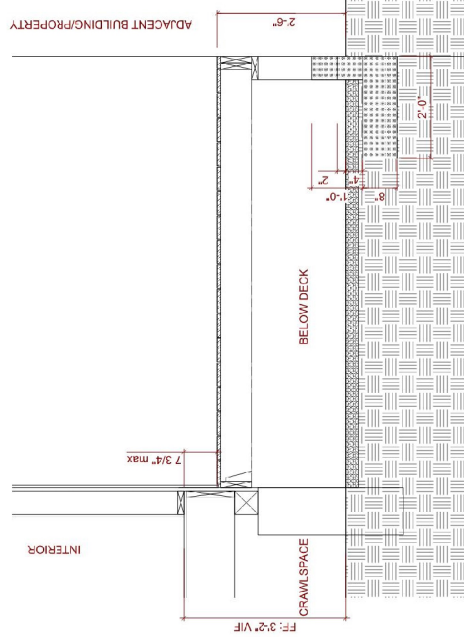
VARIANCE REQUESTS

LOT AREA: 1,531 sf LOT SIZE: 25' x 59.68' LOT COVERAGE BY BUILDING: 889 sf

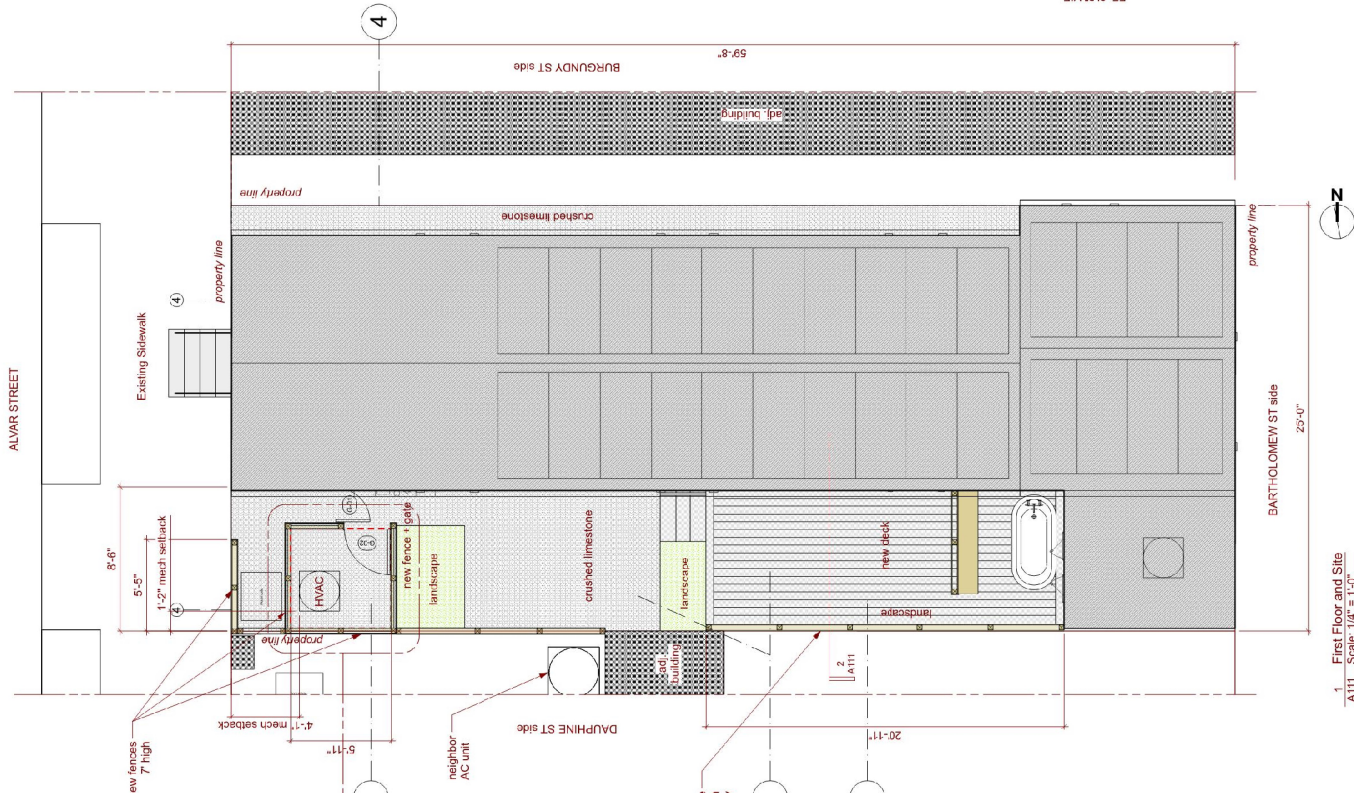
KEYNOTE	ARTICLE + SECTION	REQUIRED/ALLOWED	PROVIDED/PROPOSED	WAIVER REQUEST
①	9.2.D	3' interior yard setback	1'-9"	1'-3"
②	21.6.T.1	No mechanical equip in front or yard or within 3' of interior side	AC unit in front yard + side yard setback	Equipment location in front yard side yard setback
③	21.6.N.1.a	7' max fence height	10' fence in isolated location	3' of fence height
④	9.3.C	459 sf permeable open space (30% of lot area) Existing 542 sf open space: - 48 sf permeable (3% of lot area), - 494 sf impermeable	542 sf open space: - 368 sf permeable (24% of lot area) - 173 sf impermeable (not including house)	90 sf permeable open space



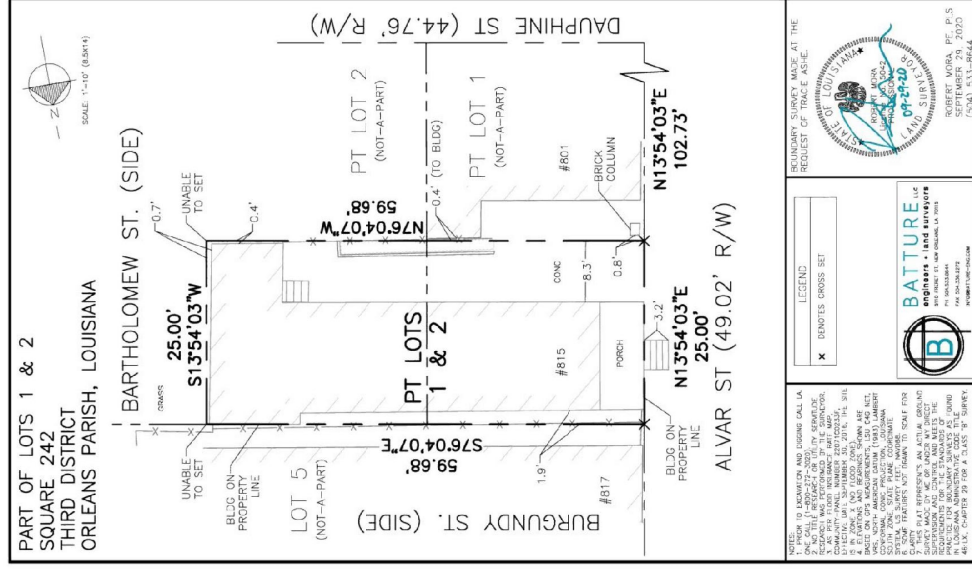
3 AC Enclosure Acoustic Materials Plan
A111 Scale: 3/4" = 1'-0"



2 Deck Section
A111 Scale: 3/4" = 1'-0"



1 First Floor and Site
A111 Scale: 1/4" = 1'-0"



ASSESSOR'S RECORDS lot size: 29' x 59'
CURRENT SURVEY lot size: 25' x 59.68'

Lot area and site area on the Assessor's Website are incorrect. The current survey should be used in evaluating the deficiencies of this lot.

Valerie Goines

From: Tracie Ashe <tracie@studiowta.com>
Sent: Friday, June 4, 2021 10:47 AM
To: Valerie Goines
Subject: Re: 815 alvar materials

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i think you're right that the required permeable is 447.6sf. i believe my calculation was off due to the decimal point in the lot length.

Valerie Goines wrote on 6/4/21 10:31 AM:

Tracie,

Please give me a call.

I just call you but I think I left the wrong call back number. My number is (504) 658-7006. I have questions concerning the permeable open space calculations on you site plan. The lot measures (59.68' x 25') 1492 square feet of which 30% is required to be permeable, i.e. 447.6 square feet. In the required/allowed section you indicate 459 square feet. Am I missing something? Please call me when you have a moment. I want to be sure that everything is correct in the report.

Valerie Goines

Senior City Planner | New Orleans City Planning Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112
(504) 658-7006 (forwarded to personal cell) | valerie.goines@nola.gov

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From: Tracie Ashe <tracie@studiowta.com>
Sent: Thursday, June 3, 2021 4:38 PM
To: Valerie Goines <Valerie.Goines@nola.gov>
Cc: Nicole Webre <Nicole@webreconsulting.com>
Subject: 815 alvar materials

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see attached for inclusion in my documents:

- revised site plan with variance information
- acoustiblok acoustic material information: quiet fiber, acoustifence
- HDLC response re AC unit placement on roof (appropriateness)
- support letter from owner of 801 alvar street

thank you!

Tracie L Ashe, AIA
Partner

studioWTA [architecture+planning+interiors](#)
7041 Canal Boulevard
New Orleans LA 70124

504.593.9074 o
504.272.7255 d
504.864.9927 m

studiowta.com

Valerie Goines

From: Valerie Goines
Sent: Wednesday, June 2, 2021 9:14 AM
To: tracie ashe
Subject: RE: Board of Zoning Adjustments Application Docketed [ACTION ITEMS]

It would depend on that the other items are. If it is something to be considered with the report, I'll need it by tomorrow evening. If it is something to just be reviewed by the Board, then that can be sent by 5pm on June 14th.

Valerie Goines

Senior City Planner | New Orleans City Planning Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112
(504) 658-7006 (forwarded to personal cell) | valerie.goines@nola.gov

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From: tracie ashe <tracie@studiowta.com>
Sent: Tuesday, June 1, 2021 4:00 PM
To: Valerie Goines <Valerie.Goines@nola.gov>
Subject: Re: Board of Zoning Adjustments Application Docketed [ACTION ITEMS]

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so our site plan is due this thursday, but other materials are due by 6/14 correct?

Valerie Goines wrote on 6/1/21 11:47 AM:

Tracie, the revised report is due in to the Director on June 7; therefore, I will need the revised site plan no later than Thursday (June 3) at 5:00 p.m.

Valerie Goines

Senior City Planner | New Orleans City Planning Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112
(504) 658-7006 (forwarded to personal cell) | valerie.goines@nola.gov

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From: Emily R. Hernandez <erhernandez@nola.gov>
Sent: Tuesday, June 1, 2021 10:42 AM
To: Tracie Ashe <tracie@studiowta.com>
Cc: Valerie Goines <Valerie.Goines@nola.gov>
Subject: RE: Board of Zoning Adjustments Application Docketed [ACTION ITEMS]

Hi, Tracie.

I am copying your assigned planner, Valerie, on this so you can coordinate with her. Valerie, see below.

Emily Ramírez Hernández (she/her/hers)

Assistant Planning Administrator | New Orleans City Planning Commission
Office of Business and External Services
1300 Perdido Street, 7th Floor | New Orleans, LA 70112
(504) 658-7011 (office) | (504) 383-5287 (remote) | erhernandez@nola.gov

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From: Tracie Ashe <tracie@studiowta.com>
Sent: Tuesday, June 1, 2021 10:35 AM
To: Emily R. Hernandez <erhernandez@nola.gov>
Subject: Re: Board of Zoning Adjustments Application Docketed [ACTION ITEMS]

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hi emily -

what is my deadline for submitting revised drawings/info for staff review?

thanks—

tracie

Emily R. Hernandez wrote on 6/1/21 10:08 AM:

Good morning,

Your application has been docketed for the June 21 Board of Zoning Adjustments hearing. Please find the **draft agenda** at the following link:
<https://nola.gov/getattachment/City-Planning/Calendar/2021/Jun/Board-of-Zoning-Adjustments/6-21-2021-10-00-00-AM/2-Draft-Agenda.pdf/>

- **VARIANCES:** Your request has been assigned to a city planner for review ([their contact information is included in the draft agenda at the above link](#)). Please email your assigned planner directly with any questions. They will email you their report/recommendation the afternoon of Wednesday, June 16, and it will also be posted here:
http://cityofno.granicus.com/ViewPublisher.php?view_id=2.
- **APPEALS:** Please continue to communicate with BZA staff (Emily Ramírez Hernández and Valerie Goines) as needed.

PAYMENT:

You should have received an invoice with instructions to pay the application fee. **Please render payment as soon as possible and absolutely no later than Monday, June 14 at 5:00 pm.** Instructions are attached. Please disregard if you have already done so.

SIGNAGE (VARIANCES ONLY):

Your sign must be posted on the property **no later than Sunday, June 6.** **See attached instructions, which include action items to pick-up and photograph signage.**

MEETING INFORMATION:

Your item will be heard at the upcoming Board of Zoning Adjustments meeting:

Date: Monday, June 21

Time: 10:00 am

Location: TBD (online if Governor's emergency declaration is still in effect;
otherwise in-person)

It is to your benefit to attend to speak on behalf of your item.

DEADLINE FOR COMMENTS:

Note the deadline for public comments is Monday, June 14 at 5:00 pm. For variances, please send public comments directly to your assigned planner. For appeals, please direct them to Emily Ramírez Hernández and Valerie Goines.

WITHDRAWALS:

If, at any time, you wish to withdraw your request, please email your assigned planner (variances) or BZA staff (appeals) with the request.

Emily Ramírez Hernández (she/her/hers)

Assistant Planning Administrator | New Orleans City Planning Commission

Office of Business and External Services

1300 Perdido Street, 7th Floor | New Orleans, LA 70112

(504) 658-7011 (office) | (504) 383-5287 (remote) | erhernandez@nola.gov

Please be advised that all email correspondence is subject to the state's public records laws.

RESOURCES:

[Application forms](#)

[Property Viewer](#) (check the zoning of a property)

[Comprehensive Zoning Ordinance](#)

[One Stop App](#)

[Frequently Asked Questions](#)

COVID-19:

In an effort to prevent the spread of COVID-19 to our employees and members of the public, our staff is working remotely and will not have any face to face contact with members of the public. Staff is available from 8am to 5pm to assist the public by phone or email. More information about our remote operations can be found at nola.gov/cpc.

Sent from [Postbox](#)

LOT AREA: 1,531 sf LOT SIZE: 25' x 59.68' LOT COVERAGE BY BUILDING: 989 sf

[illegible]

CURRENT SURVEY lot size: 25' x 59.68'

Lot area and site area on the Assessor's Website are incorrect. The current survey should be used in evaluating the deficiencies of this lot.



Valerie Goines

From: Dorothy Ball <dorothy.ball@gmail.com>
Sent: Tuesday, June 1, 2021 4:22 PM
To: CPCINFO; Valerie Goines
Subject: 815 Alvar

Follow Up Flag: Follow up
Flag Status: Completed

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

To whom it may concern,

I live at 3829 Dauphine Street, at the corner of Alvar. I primarily use the entrance to my house located on Alvar Street, across from my neighbor Tracie Ashe, who is at 815 Alvar.

Today I am writing to support her plans to place her AC units behind fencing at the front of her property line. I also understand her desire to have usable yard space. We have a deck on the back of our house, and having liveable outside space has been essential during this past year when COVID made it so difficult to catch up with friends and family. Tracie has no back yard, so I support her creative efforts to create a little outside space for herself.

I am happy to answer further questions, if it is helpful.

Thank you,

Dorothy Ball
3829 Dauphine Street
646 420 2551

Valerie Goines

From: Jensen, Joan F <jjensen@tulane.edu>
Sent: Monday, April 26, 2021 9:47 PM
To: Valerie Goines
Subject: 815 Alvar St.

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt please forward this message to phishing@nola.gov

Dear Valerie,

I own the property at 816-18 Alvar. I am concerned about the relocation of the AC unit to the front of the home.

I would be against having a loud noise such as a condenser in the front yard. Also, why do they need a fence with excessive height???

I think the noise will be irritating and I do not understand why they cannot place it in the back of the home on a raised platform like many homes in the area have.

I am not opposed to the fence or the addition, but the AC does not belong in the front!
Please let me know if there is anything else I need to do about my complaint.

thank you,

Joan Jensen
816 Alvar St.
N.O.La. 70115

Valerie Goines

From: Ryan Daigle <rdaigl9@gmail.com>
Sent: Thursday, June 3, 2021 5:21 PM
To: Valerie Goines
Subject: Re: 815 Alvar St.

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

Mrs. Goines,

Concerning BZA042-21, I would like to request at the air conditioner not be put on the roof as it will diminish my quality of life being as it's right by my bedroom window and balcony. The proposed location that Mrs. Ashe has on the deck would be much more suitable to all the adjacent neighbors. Thank you so much for your consideration.

Regards,
Ryan Daigle
(Tracie's Neighbor)

Sent from my iPhone

> On May 20, 2021, at 5:49 PM, Ryan Daigle <rdaigl9@gmail.com> wrote:

>

> Mrs. Goines,

> I'm writing to inform you of my approval of Tracie Ashe's upcoming project. I am her backyard neighbor as her back yard is adjacent to mine (3909 Dauphine). She is not able to enjoy a back deck or backyard at all because she does not have one, as her property ends at the back east wall of her house. Most lots in the neighborhood have this and are able to utilize the space as they see fit. She has been a wonderful neighbor, informing all homeowners whenever she does fumigation and/or home repairs. She is also very talented Architect! She adds an intangible quality to the neighborhood and I would love to see her be able to enjoy her space more. I think the front deck is a great idea. Anyhow this is my overwhelming approval for her plans.

> Regards,

> Ryan Daigle

>

>

> Sent from my iPhone

Valerie Goines

From: Ryan Daigle <rdaigl9@gmail.com>
Sent: Thursday, May 20, 2021 5:50 PM
To: Valerie Goines
Subject: 815 Alvar St.

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

Mrs. Goines,

I'm writing to inform you of my approval of Tracie Ashe's upcoming project. I am her backyard neighbor as her back yard is adjacent to mine (3909 Dauphine). She is not able to enjoy a back deck or backyard at all because she does not have one, as her property ends at the back east wall of her house. Most lots in the neighborhood have this and are able to utilize the space as they see fit. She has been a wonderful neighbor, informing all homeowners whenever she does fumigation and/or home repairs. She is also very talented Architect! She adds an intangible quality to the neighborhood and I would love to see her be able to enjoy her space more. I think the front deck is a great idea. Anyhow this is my overwhelming approval for her plans.

Regards,
Ryan Daigle

Sent from my iPhone

Valerie Goines

From: Kim Janowski <kimjanowski@gmail.com>
Sent: Tuesday, May 25, 2021 10:42 AM
To: Valerie Goines; CPCINFO
Cc: tracie@studiowta.com
Subject: Docket #BZA042-21 / 815 Alvar St

Follow Up Flag: Follow up
Flag Status: Flagged

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

To the Board of Zoning Adjustments:

I am the next door neighbor of Tracie Ashe at 815 Alvar St. Docket #BZA042-21

I have reviewed her plans for the side yard and I find them well thought out and in no way intrusive to her neighbors. I work from home from my front office and find no issues with her plans.

Tracie has zero back yard. She has to enter the neighbor's yard to wash windows or do maintenance to the back of her home. For that reason, creating a beautiful, usable, outdoor space on the side of her home is necessary.

Tracie has designed her new side yard living space with her neighbors in mind. She will have a brand new quiet A/C condenser that will also be encased with sounding deadening. Her fencing will be attractive and her upgrades will be an improvement for the neighborhood.

I recommend approval of her plans.

Thank you.

Kim Janowski
819 Alvar St.
713-447-9217

January 19, 2021

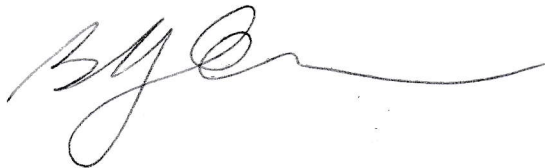
To: The Board of Zoning Adjustments
City of New Orleans

Re: Request by Owner of 815 Alvar Street

Dear Board Members,

I own the property at 801 Alvar Street. My next-door neighbor, Tracie Ashe, would like to enclose her driveway as a side yard since she does not have any other outdoor space available. She requests to move her air conditioning condensing unit to the front of her property, concealed behind a fence. I have no objection to this request and am in support of her proposal.

Thank you,

A handwritten signature in dark ink, appearing to read 'BYO', followed by a long horizontal flourish.

Barbara Yochum
Owner, 801 Alvar Street
504-949-8578

January 19, 2021

To: The Board of Zoning Adjustments
City of New Orleans

Re: Request by Owner of 815 Alvar Street

Dear Board Members,

I own the property at 3905 Dauphine Street. My back yard abuts the side yard of 815 Alvar Street. I understand the owner, Tracie Ashe, would like to build a deck and new fence in order to create outdoor space for her property, and that the design requires your approval for those things.

I'm in support of her requests to allow a deck in the side yard setback and to allow a 10' tall fence between our properties and have no objections to the proposal. This will give her some outdoor living area while maintaining privacy for both of us, will not be visible from the street, and will not negatively impact my property or grant her any advantages that surrounding neighbors don't enjoy.

There is an existing white plastic picket fence on my property (currently attached to the chain link fence on the property line) which will be reinstalled by my neighbor as part of the work. The existing tree(s) on my property will be protected from damage during construction.

Thank you,

A handwritten signature in black ink, appearing to read 'Robert Bodenheimer', with a stylized flourish at the end.

Robert Bodenheimer
Owner, 3905 Dauphine Street
504-329-8008

January 19, 2021

To: The Board of Zoning Adjustments
City of New Orleans

Re: Request by Owner of 815 Alvar Street

Dear Board Members,

I own the property at 3905 Dauphine Street. My back yard abuts the side yard of 815 Alvar Street. I understand the owner, Tracie Ashe, would like to build a deck and new fence in order to create outdoor space for her property, and that the design requires your approval for those things.

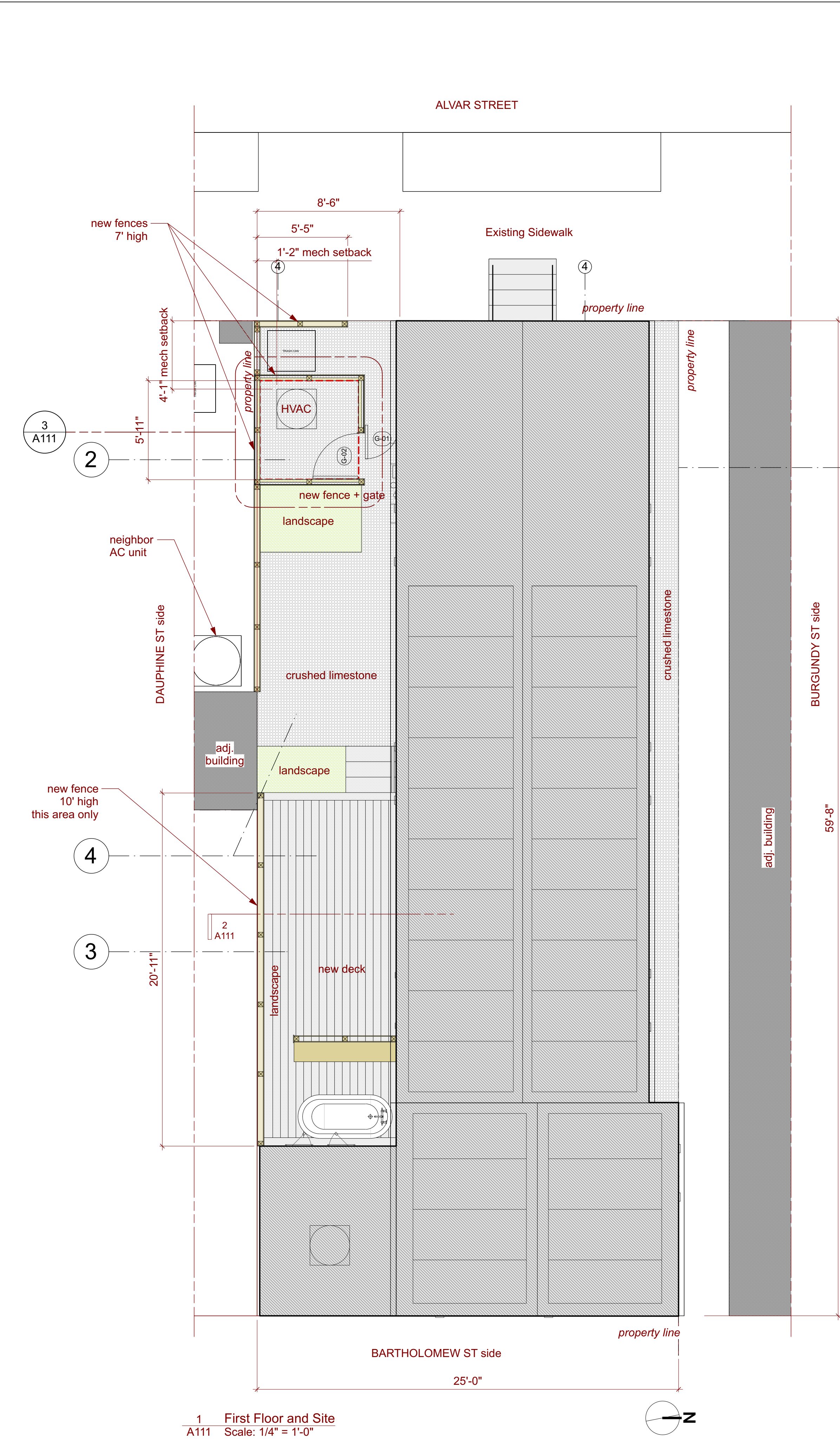
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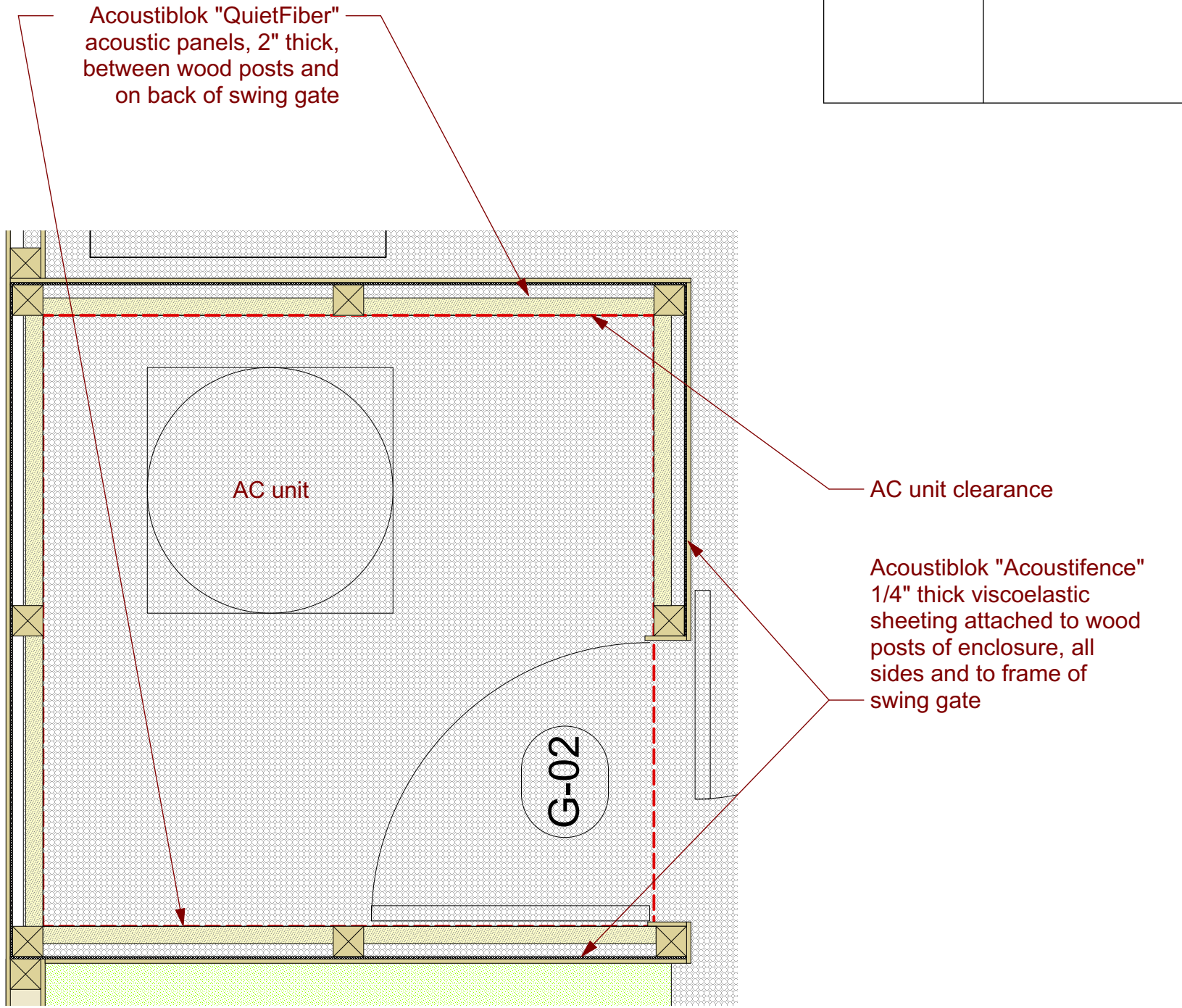
Thank you,

A handwritten signature in black ink, appearing to read 'Robert Bodenheimer', with a stylized flourish at the end.

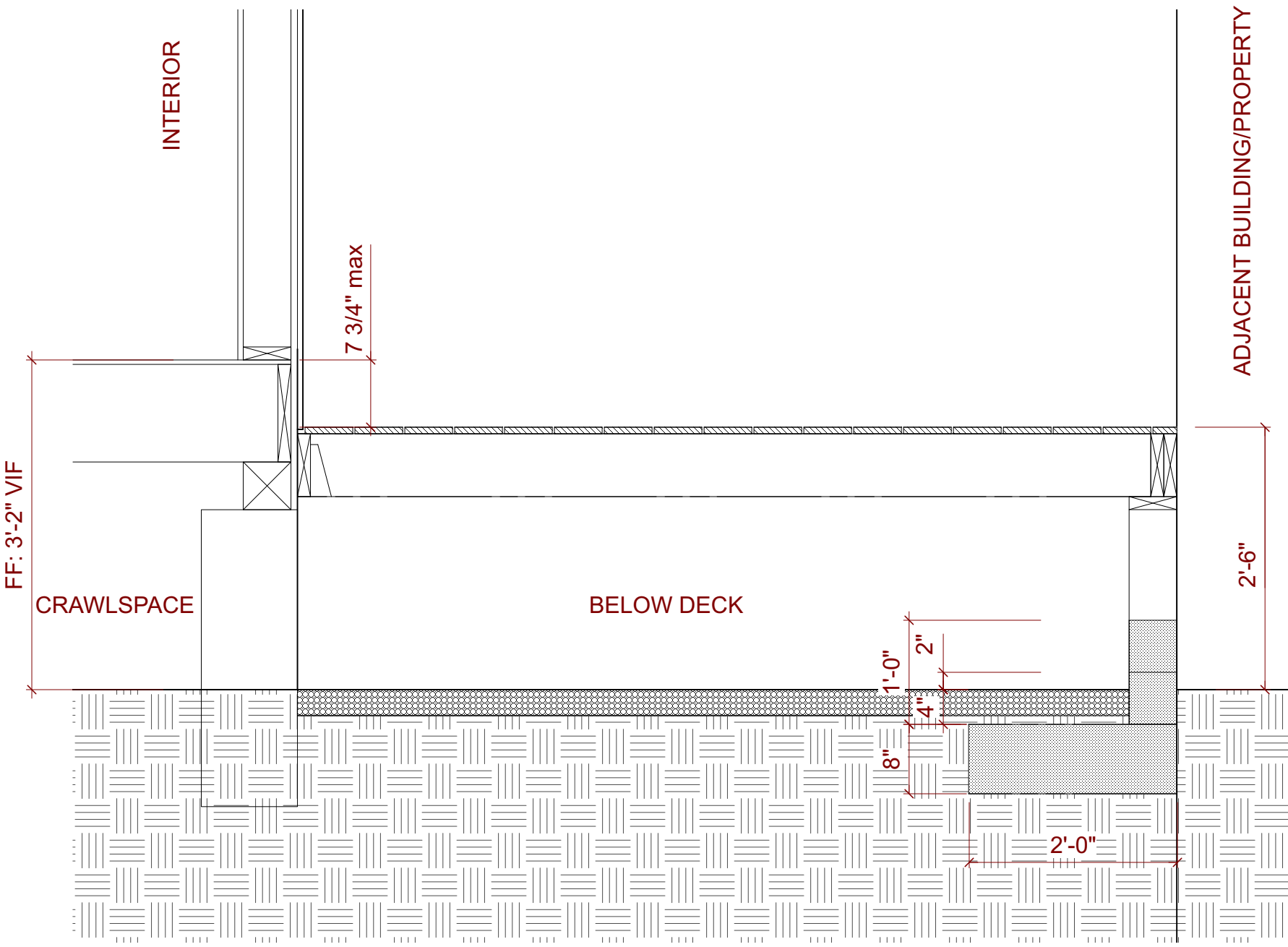
Robert Bodenheimer
Owner, 3905 Dauphine Street
504-329-8008



1 First Floor and Site
A111 Scale: 1/4" = 1'-0"



3 AC Enclosure Acoustic Materials Plan
A111 Scale: 3/4" = 1'-0"

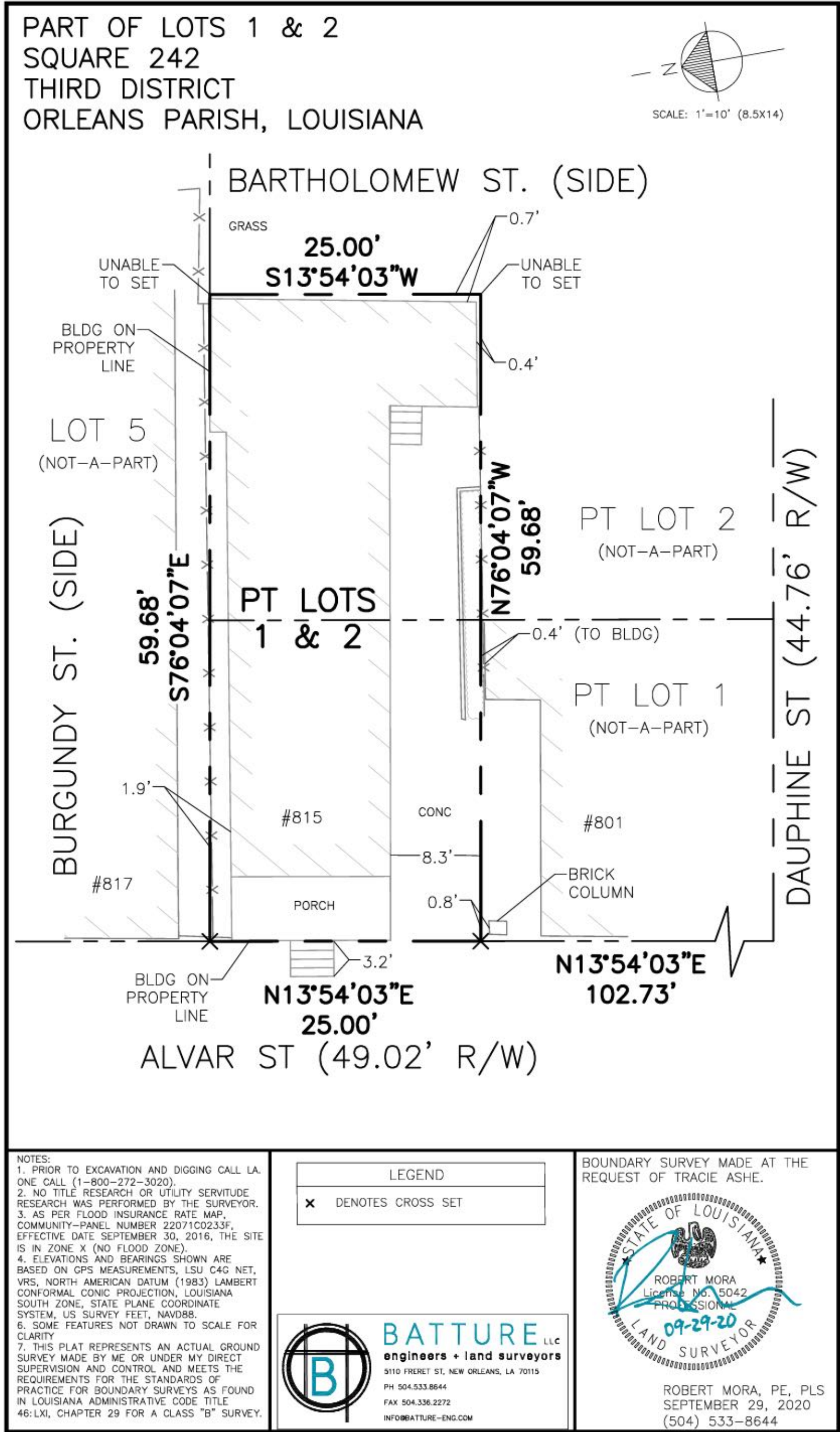


2 Deck Section
A111 Scale: 3/4" = 1'-0"

VARIANCE REQUESTS

LOT AREA: 1,531 sf LOT SIZE: 25' x 59.68' LOT COVERAGE BY BUILDING: 989 sf

KEYNOTE	ARTICLE + SECTION	REQUIRED/ALLOWED	PROVIDED/PROPOSED	WAIVER REQUEST
①	9.2.D	3' interior yard setback	1'-9"	1'-3"
②	21.6.T.1	No mechanical equip in front or yard or within 3' of interior side	AC unit in front yard + side yard setback	Equipment location in front yard/ side yard setback
③	21.6.N.1.a	7' max fence height	10'h fence in isolated location	3' of fence height
④	9.3.C	459 sf permeable open space (30% of lot area) Existing: 542 sf open space: - 48 sf permeable (3% of lot area), - 494 sf impermeable	542 sf open space: - 369 sf permeable (24% of lot area) - 173 sf impermeable (not including house)	90 sf permeable open space



ASSESSOR'S RECORDS lot size: 29' x 59'

CURRENT SURVEY lot size: 25' x 59.68'

Lot area and site area on the Assessor's Website are incorrect. The current survey should be used in evaluating the deficiencies of this lot.



RENOVATION
815 Alvar Street New Orleans, LA 70117

Sheet Size: 24x36

Date:
Issue Purpose:
Revisions:

Construction Documents

VARIANCE
DRAWINGS

scale: as noted

July 2020

A1.11

Product Name

AcoustiFence® Noise Reducing Fences

For Manufacturer Info:

Contact:

Acoustiblok, Inc.
6900 Interbay Boulevard
Tampa, FL 33616
Call - (813) 980-1400
Fax - (813) 549-2653
Email - sales@acoustiblok.com
www.acoustiblok.com

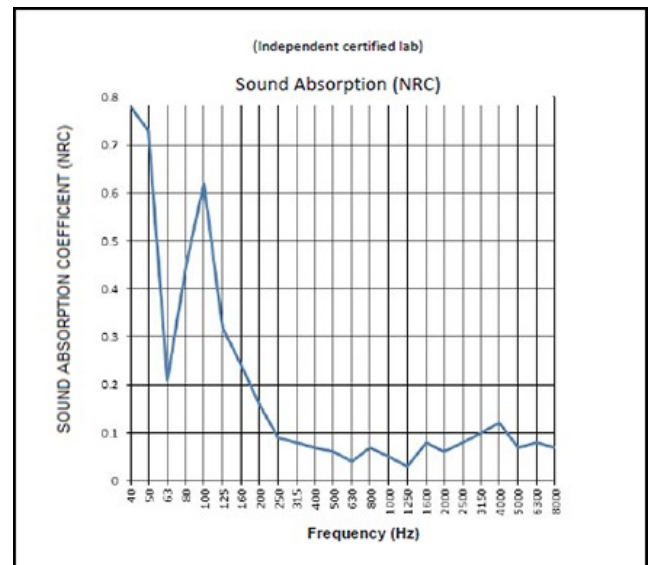
Product Description

Basic Use

AcoustiFence was originally developed by Acoustiblok, Inc. for noise isolation on offshore oil rigs, but has since proven successful in many other demanding outdoor settings, such as construction sites, commercial/industrial facilities, and residential communities.

AcoustiFence Noise Reducing Fences

AcoustiFence is a unique, heavy-mineral filled, barium free, viscoelastic acoustical material that is made in the U.S.A. Unlike fences or shrubs, this material does extraordinarily well in blocking direct sound, and a unique characteristic of the material sets it apart from other sound barriers when dealing with very low frequencies.



Sound Absorption Test Results

Benefits:

- Effectively reduces exterior noise
- Easy to install
- Resistant to UV, dirt and water
- Resistant to corrosion, mold and mildew



Product Name

AcoustiFence® Noise Reducing Fences

AcoustiFence Noise Reducing Fences continued...

In frequencies of 50Hz and below, the heavy limp AcoustiFence material actually begins to vibrate from low frequency sound waves. In essence it is transforming these low frequency sound waves into mechanical movement and internal friction energy. Laboratory tests indicate that this transformation process inhibits these lower frequencies from penetrating AcoustiFence, reducing their level by over 60 percent relative to the human ear. In addition, AcoustiFence becomes an absorbent material in these frequencies with test results show an NRC (noise reduction coefficient) as high as 0.78 (with 1.00 being the max). As such it is clear that AcoustiFence not only reduces sound as a barrier, but also acts as an acoustical absorbent material in very low frequencies, as opposed to reflecting those frequencies back like most other barriers. It is worth noting that lead sheets (which are toxic) work in the same manner.

Green AcoustiFence has the same sound deadening properties and features as our original black AcoustiFence. In addition, this new version features advanced reinforced edging and stainless steel cable ties. Made and sourced in the USA, It comes in 6x30 foot sections and is one of the most effective first steps in reducing noise for industrial, commercial and residential projects.

Green AcoustiFence

One of Acoustiblok's most popular products, designed as an advanced sound barrier that easily attaches to most types of fencing, is now available in a new green shade that easily blends into the environment. This makes it ideal for landscaping projects, residential home use and any outdoor applications where blending into the natural foliage is a concern.

Product Name

AcoustiFence® Noise Reducing Fences

Sound Transmission Class (STC)

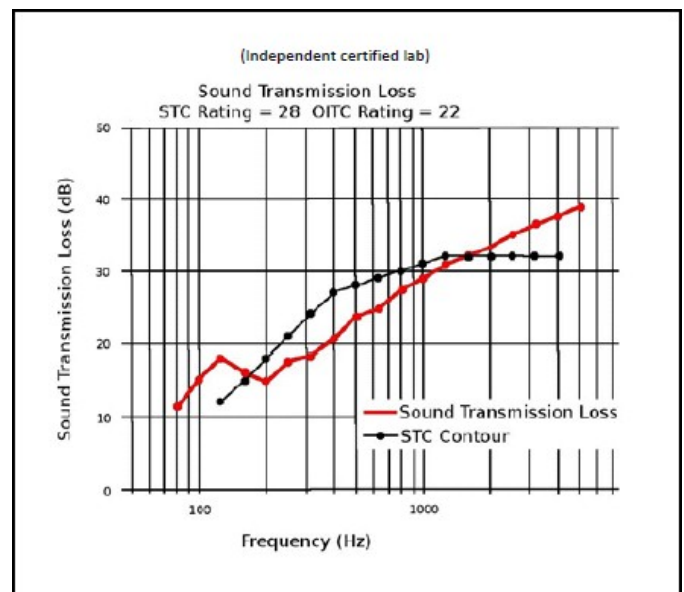
Sound Transmission Class (STC) is a single number that represents the sound blocking capacity of a partition such as a wall or ceiling.

STC numbers are often called out in architectural specifications, to assure that partitions will reduce noise levels adequately. For performance similar to laboratory test numbers, it is necessary to adhere closely to the construction materials and techniques used in the tested partition.

STC is calculated by comparing the actual sound loss measured when 16 test frequencies pass through a partition, with fixed values for each STC level. The highest STC curve that the measured sound loss numbers fit under, determines the STC rating of the partition.

STC calculations emphasize sound frequencies that match the human voice. A high STC partition will block the sound of human speech and block noise that interferes with human speech. To estimate high and low frequency performance, consult the Sound Transmission Loss graph included in STC test reports. Impact Insulation Class (IIC) measure transmitted impact noise and are specified for floor-ceiling assemblies only.

Acoustical test reports for numerous wall and floor/ceiling designs are available from Acoustiblok on request. All our test data is taken directly from independent 3rd party laboratories under NVLAP certification.



Sound Transmission Loss Test Results

Product Name

AcoustiFence® Noise Reducing Fences

Physical Properties

- Barium free
- Minimum STC 28 per ASTM E90-02 & ASTM E413-87
- Minimum sound attenuation 24 dBA @ 100Hz & 16dBA @ 40Hz
- Size - 6 ft.(1.83m) x 30 ft.(9.14m) x 0.125 in. (.3mm) – 180 ft² (16.83m²)
- Color - black or green
- High UV resistance
- Heat tolerance: 200°F (93°C) for 7 days, less than 1% shrinkage with no deformation.
- Freezes at -40°F (-40°C). Do not unroll or flex frozen material. Properties not affected by freeze/thaw cycles.
- No fungal or algal growth and no visible disfigurement, per ASTM D3273 and ASTM D3274 (rating=10)
- Tensile Strength - min. 510 PSI
- Weight per section: 185 lbs. (84Kg)

Material Specifications – Part # “Acoustifence 6x30 Industrial”

Acoustical Rating	STC 28 / OITC 22
Size	6 ft. (1.83m) x 30 ft. (9.14m) x 0.125 in. (.3mm) 180 ft² (16.72m²)
Weight	185 lbs. (84Kg)
Fastening	Black brass grommets every 6 in. (152mm) along top edge with four grommets spaced along the bottom edge. Commonly installed horizontally.
Color	Black
(This is an industrial product and minor surface blemishes are a possibility.)	



6900 Interbay Blvd.
Tampa, Florida USA 33616
Telephone: (813)980-1400
www.Acoustiblok.com
sales@acoustiblok.com

Information herein is, to the best of our knowledge and belief, accurate. However, since conditions of handling and use are beyond our control, we make no guarantee of results and assume no liability for damages incurred by the use of this material/product. All material/products may present unknown health hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist. Final determination of suitability of this material/product is the sole responsibility of the user. No representations or warranties, either expressed or implied, of merchantability, fitness for a particular purpose or any nature are made hereunder with respect to the information contained herein or the material/product to which the information refers. It is the responsibility of the user to comply with all applicable federal, state and local laws and regulations. Specifications subject to change without notice.

Subject: RE: AC on roof?
From: "Dennis P. Murphy" <Dennis.Murphy@nola.gov>
Date: 6/2/21, 10:08 AM
To: Tracie Ashe <tracie@studiowta.com>

Hi Tracie,

Based on our Guidelines, I would not be able to approve that location for the HVAC at staff level because it would be considered prominent/visually obtrusive. Based on previous Commission decisions, they tend to not approve installations that would be "silhouetted" against the sky and/or so prominently elevated and visible down the side alley. They also tend not to recommend screening. If you wanted to install it there then you would need to request approval from the Commission at the next available meeting but I would not be able to make a staff recommendation for approval. Just let me know if you have any additional questions.

Thanks,

Dennis Murphy

Building Plans Examiner
New Orleans Historic District Landmarks Commission
Office of Business and External Services
(504)658-7047
dennis.murphy@nola.gov

**Due to recent staffing changes, HDLC review and response times are delayed. We apologize for any inconvenience and appreciate your patience during this time.*

From: Tracie Ashe <tracie@studiowta.com>
Sent: Friday, May 28, 2021 10:57 AM
To: Dennis P. Murphy <Dennis.Murphy@nola.gov>
Subject: AC on roof?

EMAIL FROM EXTERNAL SENDER: DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password. If you believe that this is a phishing attempt, use the reporting tool in your Outlook to send this message to Security.

hi dennis -

could you let me know how HDLC would feel about me locating my AC condensing unit on the roof of the lean-to at my house? my interpretation of the guidelines is that this would not be appropriate, as it's highly visible, and a screen around it would draw attention to it but i'm looking for confirmation of that, if you would agree.

thanks—

Tracie L Ashe, AIA
Partner
studioWTA *architecture+planning+interiors*
7041 Canal Boulevard
New Orleans LA 70124

504.593.9074 o
504.272.7255 d
504.864.9927 m

studiowta.com

— Guidelines.jpg —



Rooftop equipment shall not be installed in a visually obtrusive manner.

Roof Mounted Equipment

— Attachments: —

Guidelines.jpg

46.4 KB



MADE IN USA
FOR OVER 20 YEARS

Product Name

QuietFiber® Hydrophobic Noise Absorption Material

For Manufacturer Info:

Contact:

Acoustiblok, Inc.
6900 Interbay Boulevard
Tampa, FL 33616
Call - (813) 980-1400
Fax - (813) 849-6347
Email - sales@acoustiblok.com
www.acoustiblok.com

Product Description

Basic Use

QuietFiber hydrophobic noise absorption material is an easily installed solution to many noise problems. It is engineered specifically for maximum noise absorption and is used extensively for industrial and commercial applications and is now being successfully introduced into non-industrial environments where reverberant sound and echo is a problem.

QuietFiber®

QuietFiber is rated at the highest noise absorption level – NRC 1.00. Areas of high noise levels including sound reverberation can be resolved easily and economically by introducing QuietFiber into as much of the area as possible. The amount of noise reduction in highly reflective rooms will be directly relative to how much of the QuietFiber material can be installed into the room.

Unlike other fibrous materials which do not have the same high NRC ratings, QuietFiber is hydrophobic, meaning it will not absorb nor combine with water. Marine noise reduction applications are endless.



QuietFiber®

- Highest noise absorption rating of NRC 1.00
- Non Silica
- Virtually fireproof – Class A fire rating
 - 0 Smoke + 0 Flame Development
- Hydrophobic – will not combine with water
- Will not support mold or mildew growth
- Available in plain, black face
- Full outdoor weather and U.V. tolerant
- Significant sound benefit v. fiberglass
- Install on top of acoustical ceiling tiles
- High temperature capable
- Comprised of up to 90% recycled material
- 100% recyclable



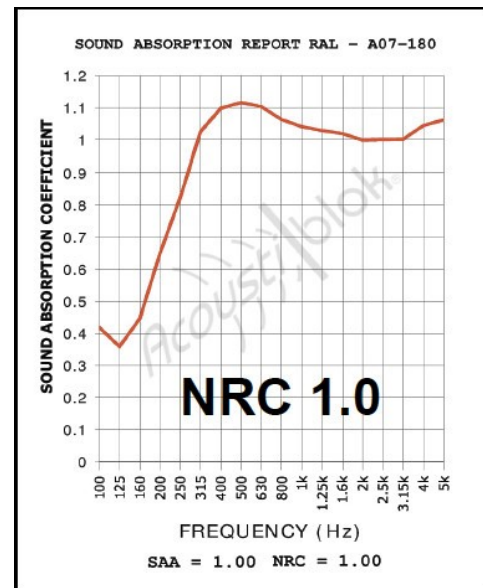
NRC 1.0 Rated	125hz	250hz	500hz	1000hz	2000hz	4000hz
	0.36	0.79	1.15	1.04	1.01	1.04

Technical Data:

- ASTM C 423 – NRC 1.00
- ASTM E 84 – Class 1, 0 Flame 0 Smoke
- ASTM C 518 – R 4.2 per inch
- ASTM C 518 – 0.24 @ 75°F (24°C)

Standards Compliance:

- ASTM C 665 Non-Corrosive Type I
- ASTM C 612 1A, 1B, II, III
- ASTM E 136 Rated Non-combustible per NFPA Standard 220
- ASTM C 1104 Absorption less than 1% by volume
- ASTM C 356 Linear shrinkage <2% @ 1200°F (650°C)



QUIET FIBER WEIGHT CHART SAMPLE SIZE 12" X 12"

ITEM	BLACK FACING	THICKNES (INS)	WEIGHT (LBS)	DENSITY PER FT ³	AVAILABLE SIZES
QF2	✓	2	1.318	1.52	4' x 6' or custom cut
QF4	✓	3	1.067	2.81	16"x 72" or 24" x 72" only
QF6	✓	5	1.72	2.91	16"x 72" or 24" x 72" only

Information herein is, to the best of our knowledge and belief, accurate. However, since conditions of handling and use are beyond our control, we make no guarantee of results and assume no liability for damages incurred by the use of this material/product. All material/products may present unknown health hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist. Final determination of suitability of this material/product is the sole responsibility of the user. No representations or warranties, either expressed or implied, of merchantability, fitness for a particular purpose or any nature are made hereunder with respect to the information contained herein or the material/product to which the information refers. It is the responsibility of the user to comply with all applicable federal, state and local laws and regulations. Specifications subject to change without notice.

LOT AREA: 1,531 sf LOT SIZE: 25' x 59.68' LOT COVERAGE BY BUILDING: 989 sf

[illegible]

CURRENT SURVEY lot size: 25' x 59.68'

Lot area and site area on the Assessor's Website are incorrect. The current survey should be used in evaluating the deficiencies of this lot.

